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MESSAGE OF THE PRESIDENT.

RICHMOND, VA., Feb. 11, 1863.

To the House of Representatives :

I herewith transmit a communication from the Secretary of War, enclosing copies of the findings of a General Court Martial, in the cases of persons charged with desertion and absence without leave, being a response to your resolution of the 27th ult.

JEFFERSON DAVIS.

COMMUNICATION FROM SECRETARY OF WAR.

CONFEDERATE STATES OF AMERICA, }
War Department, }
Richmond, Va., Feb. 9, 1863. }

His Excellency, THE PRESIDENT :

SIR : In response to a resolution of the House of Representatives, adopted on the 27th ultimo, I have the honor to enclose copies of the findings of the General Court Martial, held at Headquarters, Richmond, for the month of January, in the cases of persons charged with desertion and absence without leave.

Very respectfully,

Your obedient servant,

JAMES A. SEDDON,
Secretary of War.

COMMUNICATION FROM W. S. BARTON, ASSISTANT
ADJUTANT GENERAL.

HEADQUARTERS, RICHMOND,
February 26, 1863.

Respectfully returned.

The original proceedings in the cases in which the sentences have been promulgated, have been forwarded to the Adjutant and Inspector General's Office, as required by regulations.

I send herewith a file of the General Order, issued from these headquarters, which furnish the "copies of the proceedings" required by the resolution of the House of Representatives, so far as the proceedings of the courts have been published.

Private L. B. Seymour, Co. E., 50th regiment North Carolina troops, was tried for desertion, and convicted by a General Court Martial convened at the Headquarters of Brigadier General Junius Daniel, by General Order No. 5, of October 8, 1862, from these Headquarters.

The twentieth article of war imposes the penalty of "death, or such other punishment as by the sentence of a court martial shall be inflicted" upon any officer or man convicted of "desertion."

By the "custom of war," as shown by the writers of both England and America, and well established usage, the punishments of flogging, branding and hard labor, can be inflicted on deserters by courts martial, in lieu of death.

It is proper to remark that not more than fifty lashes can be inflicted for one offence, nor was it proposed to allow more than one flogging to be inflicted in Seymour's case; but the rest would have been remitted should the war last long enough to subject him to a second.

It being my duty especially to examine these records, I am responsible for advising the approval of the sentence.

W. S. BARTON,

Major and Assistant Adjutant General.

DISTRICT HEADQUARTERS, }
RICHMOND, Feb. 3, 1863. }

Respectfully returned with the information required.

ARNOLD ELZEY,
Major General Commanding.

Respectfully submitted to the Secretary of War.

S. COOPER,
Adjutant and Inspector General.



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HEADQUARTERS, RICHMOND,
September, 1862.

GENERAL ORDERS, }
No. 9. }

I. At a General Court Martial, convened and held by virtue of General Orders, No. 93, from Headquarters Department Northern Va., at the camp of Brigadier General H. A. Wise's Brigade, on the day of 1862, the following named prisoners were arraigned and tried:

Case 1. Sergeant George M. Humphries, Co. "C," Light Artillery Battalion.

CHARGE—Violation of 45th Article of War.

Specification—In this, that he, the said Sergeant George M. Humphries, Co. "C," Light Artillery Battalion, while in charge of the Light Artillery Battalion Wise's Brigade, on the seventh day of September, was drunk, and in consequence, unfit to discharge the duties of his office.

FINDING.

Of the specification,	Not Guilty.
Of the charge,	Not Guilty.

The accused was therefore acquitted.

Case 2. Private Lewis Harcum, Co. "D," Light Art. Battalion.

CHARGE—Violation of the 41st Article of War.

Specification—In this, that he, Private Lewis Harcum, Co. "D," Light Artillery Battalion, Wise's Brigade, did leave camp on the 6th day of September, 1862, without leave from his Commanding Officer, and did proceed to Richmond, Va., thereby absenting himself from camp and the ordinary duties of camp for about twelve hours.

SENTENCE.

The court do confirm the plea of guilty, and sentence the said private, Co. "D," Light Artillery Battalion, to seven days' confinement in the regimental or company guard house.

Case 3. Private E. M. Ezekiel, Co. "A," 46th Regt. Va. Vols.

CHARGE.—Absence without leave.

Specification—In this, that said Ezekiel did, on or about the 17th day of August, 1862, absent himself from the camp of the 46th Regiment Va. vols., without obtaining permission so to do, and did remain away until the 18th August, 1862, all this at the camp 46th Regt. Va. Vols.

FINDING.

Of the charge,	Guilty.
Of the specification,	Guilty.

SENTENCE.

The court do acquit the accused, believing that the punishment which he has already suffered sufficient for the offence

Case 4. Private James J. Martin, Pamunkey Artillery.

CHARGE—Absence without leave.

Specification—In this, that Private James J. Martin of the Pamunkey Artillery did, on or about the fourth day of August, leave his camp without permission, and return on the night of the 6th of August.

FINDING AND SENTENCE.

The court having maturely considered the case, find Private James J. Martin of the Pamunkey Artillery, of the specification, guilty; of the charge, guilty; and the court do acquit the accused, inasmuch as the punishment which he has already suffered is sufficient for the offence.

Case 5. Corporal Lafayette W. Banks, Pamunkey Artillery.

CHARGE—Absence without leave.

Specification—In this, that Corporal Lafayette W. Banks of the Pamunkey Artillery, did leave his camp without permission, on or about the night of the 2d August, or morning of the 3d August, and returned on the evening of the 5th August, having been sent for to be apprehended.

FINDING.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

And the court do therefore sentence the said Corporal L. W. Banks, of the Pamunkey Artillery, to be reduced to the ranks, and the court is thus lenient on account of extenuating circumstances.

Case 6. Private F. Weaver, Co. "D," 4th Va. Heavy Artillery.

CHARGE—Drunk on duty.

Specification—In this, that the said Private F. Weaver, of the said Company, having been detailed for duty on camp guard on the 9th September, 1862, did on that day become so intoxicated, as to render him incapable of performing the duties appertaining to such guard, in consequence whereof, another man had to be detailed in his place. All this at the camp of the 4th Regiment Va. Heavy Artillery, on Chaffin's farm, on the 9th September, 1862.

FINDING.

The court having maturely considered the facts of the case, find Private F. Weaver, Co. "D," 4th Va. Heavy Artillery.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

And the court do therefore sentence the said Private F. Weaver to ten days' hard labor in charge of the Provost Guard at Richmond, with ball weighing 12 lbs. and chain attached to left leg.

Case 7. Private Wm. Callum, Co. "E," 26th Va. Regt.

CHARGE 1st—Desertion.

Specification 1st—In this, that the said William Callum did, on or about the 6th day of May, 1862, leave his camp and regiment, while on the march from Gloucester Point, remain within the enemy's lines, and did not rejoin his company until brought to Richmond by a detachment of cavalry.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty of absence without leave.

SENTENCE.

And the court do therefore sentence the said Wm. Callum, Private Co. "E," 25th Va. Regiment, to 60 days' hard labor, with ball weighing 12 lbs. and chain attached to left leg, in charge of the Provost Marshal at Richmond, and forfeit his pay proper for two months, and the court is thus lenient on account of extenuating circumstances.

Case 8. Sergeant Wm. R. Haywood, Co. "E," 25th Regiment Va. Volunteers.

CHARGE 1ST—Desertion.

Specification 1st—In this, that the said Wm. R. Haywood did, on or about the 6th day of May, 1862, leave his company and regiment, while on the march from Gloucester Point, remain within the enemy's lines, and did not rejoin his company or regiment until brought to Richmond by a detachment of cavalry.

CHARGE 2D—Persuading others to desert.

Specification 1st—In this, that he did persuade Wm. Lemons, and others to desert.

FINDING.

The court having maturely considered the evidence adduced, find Sergeant Wm. R. Haywood, Co. "E," 25th Va. Regt.

Of the 1st specification of charge 2d,	Guilty.
Of charge 2d,	Guilty.
Of the first specification of charge 1st,	Guilty.
Of charge 1st,	Guilty.

SENTENCE.

And the court do therefore sentence the said Sergeant Wm. R. Haywood, Co. "E," 25th Va. Vols., to forfeit all pay and allowances now due, to undergo solitary confinement every alternate 14 days, until he has completed 84 days of solitary confinement, under charge of the Provost Marshal at Richmond—to perform hard labor with ball weighing 12 lbs. and chain attached to the left leg during the intervals—to forfeit all pay and allowances except rations and necessary clothing, during the period of confinement and labor: and at the expiration thereof be branded with the letter "D," one inch in length on left hip, have his head shaved in presence of his regiment, and be drummed out of the service.

Case 9. Private R. B. Seward, Co. "G," 26th Va. Regt.

CHARGE—Desertion.

Specification—In this, that on the 6th day of May, 1862, the said Private R. B. Seward, left his company in King and Queen county, as it was on the march from Gloucester Point, and that he went to his home, and did not again report for duty until the 27th day of July, 1862.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty of absence without leave.

SENTENCE.

And the court do therefore sentence the said Private R. B. Seward, Co. "G," 26th Va. Regt., to thirty days' hard labor, with ball weighing 12 lbs. and chain attached to left leg, in charge of the Provost Marshal at Richmond; and to forfeit his pay proper for two months.

Case 10. Private A. C. Groome, Co. "B," 26th Regt. Va. Vols.

CHARGE—Desertion.

Specification—In this, that the said Albert C. Groome, a private in Co. "B," 26th Va. Regt., did desert from his company, on or about the 9th day of May, 1862, at or near Hanover Court House, Va.; after an absence of two months and twenty-one days, (July 30th,) he voluntarily returned to his company.

FINDING.

Of the specification,

Guilty of absenting himself without leave.

Of the charge,

Guilty of absence without leave.

SENTENCE.

And the court do therefore sentence the said Private Albert C. Groome, Co. "B," 26th Va. Regt., to sixty days' hard labor with ball weighing 12 lbs. and chain attached to left leg, in charge of the Provost Marshal at Richmond, and to forfeit his pay proper for two months.

Case 11. Private Charles W. Hibble, Co. "B," 26th Va. Regt.

CHARGE—Desertion.

Specification—In this, that the said Charles W. Hibble, a private Co. "B," 26th Regt., did desert from his company, on or about the 5th day of May, 1862, between Centreville and King and Queen Courthouse, Va.; after an absence of three months and four days, (August 9th), he voluntarily returned to his company, bringing with him his gun and accoutrements

FINDING.

The court after mature consideration, find Private Chas. W. Hibble, Co. "B," 26th Regt. Va. Vols.

Of the specification,

Guilty of absenting himself without leave.

Of the charge,

Guilty of absenting himself without leave.

SENTENCE

And the court do therefore sentence the said Chas. W. Hibble, to ten days' confinement in the regimental guard house, and we the members of the court, do recommend that the punishment of the accused be remitted in consequence of the circumstances of the case.

Case 12. Private W. W. Damel, Co. "B," 26th Va. Regt.

CHARGE—Desertion.

Specification—In this, that the said W. W. Damel, Private Co. "B," 26th Regt. Va. Vols., did desert from his company, on or about the 9th day of May, 1862, at or near Hanover Courthouse, Va.; after an absence of two months and twenty-one days, (July 39th), he voluntarily returned to his company.

FINDING.

The court after mature consideration, find Private W. W. Damel, Co. "B," 26th Va. Regt.

Of the specification,

Guilty of absenting himself without leave.

Of the charge,

Guilty of absence without leave.

SENTENCE.

The court do therefore sentence the said Private W. W. Damel, Co. "B," 26th Va. Regt. to sixty days' hard labor, with ball weighing 12 lbs. and chain attached to left leg, and to forfeit his pay proper for two months.

Case 13. Private Wm. D. Baker, Co. "B," 26th Va. Regt.

CHARGE—Desertion.

Specification—In this, that the said Wm. D. Baker, a private in Co. "B," on or about the 4th day of May, 1862, near Centreville, Va., after an absence of two months and twenty-five days, (July 29th), he voluntarily returned to his company, bringing with his gun and accoutrements.

FINDING.

The court after mature consideration, do find the said Private Wm. D. Baker, Co. "B," 26th Va. Regt.

Of the specification,

Not Guilty.

Of the charge,

Not Guilty.

SENTENCE.

They do therefore acquit the accused.

Case 14. Private Dunbar Edwards, Co. "C," 26th Va. Regt.

CHARGE—Absence without leave.

Specification—In this, that the said Dunbar Edwards was sent home sick by the Surgeon, on or about the 20th day of April, 1862, and that he did not return to his company or regiment, until he was arrested and put in Castle Godwin, from which place he was taken and brought to his company, on the 7th day of August, 1862.

FINDING.

The court after mature consideration, find private Dunbar Edwards, Co. "C," 26th Va. Regt.

Of the specification,

Guilty.

Of the charge,

Not Guilty.

And the court do therefore acquit the said Private Dunbar Edwards, Co. "C," 26th Va. Regt.

Case 15. Captain J. H. Rivers, Co. "C," Light Art. Battalion.

CHARGE—Absence without leave.

Specification—In this, that he, the said Captain J. H. Rivers, did on or about the 16th day of July, 1862, absent himself from camp until the 18th day of July, 1862, without the leave or permission of his commanding officer.

FINDING.

The court after mature consideration, do find Captain J. H. Rivers, Co. "C," Light Artillery Battalion, as follows :

Of the specification,

Not Guilty.

Of the charge,

Not Guilty.

SENTENCE.

And the court do therefore honorably acquit the said Captain J. H. Rivers, Co. "C," Light Artillery Battalion, inasmuch as it appears from the evidence that he had never been officially notified that Major Starke was his commanding officer.

Case 16. Private Wm. D. Tucker, Co. "C," 26th Va. Regt.

CHARGE—Absence without leave.

Specification—In this, that the said Wm. D. Tucker was sent home sick by the surgeon, on or about the 20th day of April, 1862, and that he did not return to his company and regiment, until he was arrested and put in Castle Godwin, from which place he was taken and brought to his company, on the 7th day of August, 1862.

FINDING.

The court after mature consideration, find Private Wm. D. Tucker, Co. "C," 26th Va. Regt.

Of the specification,

Guilty.

Of the charge,

Guilty.

SENTENCE.

And the court do therefore sentence the said Wm. D. Tucker, Co. "C," 26th Va. Regt., to fifteen days' hard labor, with ball weighing 12 lbs. and chain attached to left leg, in charge of the Provost Marshal at Richmond.

Case 17. Private Benjamin Dudley, Co. "C," 26th Va. Regt.

CHARGE 2d—Desertion.

Specification—In this, that the said Benjamin Dudley did, without leave absent himself from his company and regiment, at St. Stephens' Church in King and Queen county, on the 7th day of May, 1862, and did not return thereto, until he was arrested and put in Castle Godwin, from which place he was taken out and brought to his company, on the 7th day of August, 1862.

FINDING.

The court after mature consideration, find Private Benjamin Dudley, Co. "C," 26th Va. Regt.

Of the specification,

Guilty.

Of the charge,

Guilty.

SENTENCE.

And the court do therefore sentence the said Benjamin Dudley, to forfeit all pay and allowances now due him, be branded on the left hip with the letter D one inch in length, have his head shaved in the presence of his regiment and be drummed out of the service.

Case 18. John M. Nye, Private in Co. "A," 26th Regt. Va. Vols.

CHARGE 1st—Desertion.

Specification—In this, that the said John M. Nye did, on the evening of the 4th day of May, 1862, leave his company and regiment, at Centreville, King and Queen county, Va., without permission, and go to Gloucester county, Va., where he found and captured on the _____ day of _____, 1862, by a detachment of Confederate States cavalry, under command of Lieutenant Fitzhugh of the M. L. Dragoons, and brought into Richmond.

FINDING.

The court after mature consideration, find Private John M. Nye, Co. "A," 26th Regt. Va. Vols.

Of the specification,

Guilty.

Of the charge,

Guilty.

SENTENCE.

And the court do therefore sentence the said John M. Nye, to forfeit all pay and allowances now due, be branded on the left hip with the letter D one inch in length, have his head shaved in the presence of his regiment, and be drummed out of the service.

Case 19. Private Wm. A. Ballome, Co. "C," 4th Va. Heavy Art.

CHARGE—Violation of the 7th Article of War.

Specification 1st—In this, that Private William A. Ballome of Co. "C," 4th Va. Heavy Artillery, did write and sign a petition to his Captain and 1st Lieutenant to resign their commissions as officers in the Confederate States Army, stating that he did not wish to serve under them any longer.

Specification 2d—In this, that Private William A. Ballome, of Co. "C," 4th Va. Heavy Artillery, did persuade others of the said company to sign a petition to his Captain and 1st Lieutenant to resign their commissions as officers in the C. S. Army; all this without cause or provocation, at the 4th Artillery camp near Chaffin's Bluff, on or about the 6th of August, 1862.

FINDING.

The court after mature deliberation, find Private Wm. A. Ballome, Co. "C," 4th Va. Heavy Artillery: of specification 2d, not guilty; of specification 1st, guilty, except the words, "write and;" of charge, guilty of conduct prejudicial to good order and military discipline.

SENTENCE.

In consequence of extenuating circumstances, as shown by the evidence, the court is unanimously of the opinion that the confinement which the accused has already undergone is sufficient punishment for his offence.

Case 20. Private Philip G. Yuille, Co. "C," 4th Va. Heavy Art.

CHARGE—Violation of 7th Article of War.

Specification 1st—In this, that Private Philip G. Yuille, Co. "C," 4th Va. Heavy Artillery, did sign a petition to his Captain and 1st Lieutenant to resign their commissions as officers in the C. S. Army, stating that he did not wish to serve under them any longer.

Specification 2d—In this, that Private Philip G. Yuille, Co. "C," 4th Va. Artillery, did persuade others of the said company, to sign a petition to his Captain and 1st Lieutenant to resign their positions as officers in the Confederate States Army; all this without cause or provocation, at the 4th Artillery camp near Chaffin's Bluff, on or about the 6th August, 1862.

FINDING.

The court after mature consideration, find the accused not guilty of second specification; guilty of first specification; of charge, guilty of conduct prejudicial to good order and military discipline.

SENTENCE.

And in consequence of extenuating consequences, as shown by the evidence, is unanimously of opinion that the confinement which the accused has already undergone is sufficient punishment for his offence.

Case 21. Private Win. K. Butts, Co. "C," 4th Va. Heavy Art.

CHARGE—Violation of the 20th Article of War.

Specification—In this, that the accused did leave camp on the 27th July, 1862, without permission, and did not return until arrested by pickets on the James River and Kanawha canal, near Lynchburg, and confined in Castle Godwin, at Richmond, on or about the 6th August, 1862.

FINDING.

The court after mature consideration, find the accused:

Of the specification,

Guilty, except the words, "near Lynchburg."

Of the charge,

Guilty of absence without leave.

SENTENCE.

And the court do therefore sentence the accused to 30 days' hard labor with ball weighing 12 lbs. and chain attached to left leg, in charge of the Provost Marshal at Richmond.

Case 22. Private H. T. Shiflett, Co. "D," 4th Va. H. Artillery.

CHARGE—Conduct to the prejudice of good order and military discipline.

Specification 1st—In this, that Private H. T. Shiflett, Co. "D," 4th Va. H. Artillery, did threaten the lives of his officers saying, if ever they went into battle they would not come out alive, or words to that effect.

Specification 2nd—In this, that Private H. T. Shiflett, of 4th Va. H. Artillery, did use insolent language to his Captain, when he had him confined, saying: "I hope you will keep me in the guard house until the end of the war," or words to that effect. All this at the 4th Artillery camp, near Chaffin's Bluff, on or about the 16th day of August, 1862.

FINDING.

The court after mature consideration, find the accused guilty of specification second; not guilty of specification first; guilty of charge.

SENTENCE.

And the court do therefore unanimously concur in the opinion that, in consequence of extenuating circumstances, as shown by the evidence, the confinement which the accused has already undergone is sufficient punishment for the offence.

Case 23. Private Alfred M. Edwards, Co. "H," 26th Va. Regt.

CHARGE—Absence without leave.

Specification—In this, that the said Private Alfred M. Edwards did, on the 2nd day of May, 1862, leave Gloucester Point, a then military post, on sick leave, by order of the acting Surgeon of said military post, in retreat from the same, transportation being furnished, and that the said private Alfred M. Edwards, on arriving at West Point in King William county, did leave said West Point and go to his

home, within the lines of the enemy, and did there remain until the 3rd day of August, 1862, on which day the said Alfred M. Edwards, did report in person to his company. All this at Chaffin's farm, August 4th, 1862.

FINDING.

The court after mature consideration find the accused :	
Of the specification,	Guilty.
Of the charge,	Not Guilty.

SENTENCE.

And the court do therefore acquit the accused.

Case 24. Private Beverly Groom, Co. "II," 26th Va. Vols.

CHARGE—Absence without leave.

Specification—In this, that the said Beverly Groom, did on the second day of May, 1862, leave Gloucester Point, a then military post, with Surgeon's permission, in retreat from said Gloucester Point to go to Richmond, and to report to his company in ten days, and that instead of doing as directed, did go to his home within the lines of the enemy, and did there remain until the 9th day of July, 1862, on which day the said Private Beverly Groom, did report in person to his company. All this at camp Chaffin's farm, July 30, 1862.

FINDING.

The court after mature consideration, do find the accused, guilty of the specification, except the words "in ten days;" not guilty of the charge.

SENTENCE.

And the court do therefore acquit the accused.

Case 25. Private Joseph M. Shelton, Co. II, 26th Va. Vols.

CHARGE—Desertion.

Specification—In this, that the said Private Joseph M. Shelton did, on the 2nd day of May, 1862, leave Gloucester Point, a then military post, where his company was then stationed, in Quartermaster Capt. James A. Crump's department, on board of a puny vessel, with Q. M. and C. stores, in retreat from said Gloucester Point, and that on or about the 17th day of May, 1862, the said Private Joseph M. Shelton, was discharged from said puny vessel, and that instead of coming to his company he, the said Joseph M. Shelton, did go back to his home within the lines of the enemy, and did there remain until about the 8th day of May, 1862, on which day he reported to his company at camp Chaffin. All this at camp Chaffin, July 30, 1862.

FINDING.

The court after mature consideration find the accused :	
Of the specification,	Guilty.
Of the charge,	Not Guilty.

SENTENCE.

And the court do therefore acquit the accused.

Case 26. Private Richard Groom, Co. "II," 26th Va. Vols.

CHARGE—Desertion.

Specification—In this, that the said Private Richard Groom, did

on the second day of May, 1862, leave Gloucester Point, a then military post, where his company was then stationed, in Quartermaster Jas. H. Crump's department, on board of a puny vessel with Q. M. and C. stores, in retreat from said Gloucester Point, and that on or about the 17th day of May, 1862, the said private was discharged from said puny vessel, and that instead of coming to his company he, the said Richard Groom, did go back to his home within the lines of the enemy, and did there remain until the 26th day of July, 1862, on which day he reported to his company at camp Chaffin's farm. All this at camp Chaffin's farm, July 30, 1862.

FINDING.

The court after mature consideration, do find the accused:

Of the specification	Guilty.
Of the charge,	Not Guilty.

SENTENCE.

And the court do therefore acquit the accused.

Case 27. Private Benjamin J. Thrift, Co. A, 26th Va. Vols.

CHARGE—Desertion.

Specification—In this, that the said Benj. J. Thrift did, on the morning of the 4th day of May, 1862, on the retreat from Gloucester Point, leave his company and regiment at Gloucester C. H., without permission, and go to his home in Gloucester county, Va., and did not return to his company until the 25th day of August, 1862, after the defeat of the enemy before Richmond, and the evacuation of Gloucester county by the enemy.

FINDING.

The court after mature consideration, do find the accused:

Of the specification	Guilty.
Of the charge,	Guilty.

SENTENCE.

And the court do therefore sentence the said Benjamin J. Thrift, to twelve months' hard labor, with ball weighing 12 lbs. and chain attached to the left leg, in charge of the Provost Marshal at Richmond.

Case 28. Private John W. Smith, Co. "E," 26th Va. Vols.

CHARGE—Desertion.

Specification—In this, that the said John W. Smith did, on or about the 5th day of May, 1862, leave his company and regiment, while on the march from Gloucester Point, remain within the enemy's lines, and did not rejoin his company until about the 19th July, after the repulse of the enemy around Richmond.

FINDING.

The court after mature consideration, find the accused:

Of the specification,	Guilty.
Of the charge,	Guilty of absence without leave.

SENTENCE.

And the court do therefore sentence the accused to sixty days' hard labor with ball weighing 12 lbs. and chain attached to left leg, in charge of the Provost Marshal at Richmond, and to forfeit his pay proper for two months.

Case 29. Private Samuel Grinald, Co. "G," 46th Va. Vols.

CHARGE 1ST—Violation of the 46th Article of War.

Specification 1st—In this, that the said Samuel Grinald, of Co. "G," 46th Va. Regt., was found sleeping on his post, whilst posted as a sentinel, guarding some beef-cattle near Mr. Chaffin's farm, in the county of Henrico, in the State of Virginia.

CHARGE 2D—Violation of the 99th Article of War.

Specification 1st—In this, that the said Private Samuel Grinald, of the company and regiment aforesaid, on or about the 2nd day of August, 1862, and whilst posted as a sentinel to guard four beef-cattle, the property of the Confederate States of America, did negligently suffer and permit said cattle to escape from the enclosure wherein he, the said Samuel Grinald, was directed to keep said cattle, whereby and by reason of the negligence of the said Grinald, the said cattle were wholly lost to the Confederate States. This near the camp of the 46th Regt. Va. Vols., in the county of Henrico, and State of Virginia.

FINDING.

The court after mature consideration, do find the accused:

Of specification of charge 1st,	Not Guilty.
Of charge 1st,	Not Guilty.
Of the specification of charge 2nd,	Guilty.
(except the words "whereby and by reason of the negligence of the said Grinald, the said cattle were wholly lost to the Confederate States.")	

SENTENCE.

And the court is of the opinion that the punishment which the accused has already suffered, is sufficient for his offence.

Case 30. Private John Cox, Co. "E," 24th Va. Vols.

CHARGE—Desertion.

Specification—In this, that the said John Cox did, on or about the 2nd day of May, 1862, leave his company and regiment, while at Gloucester Point, remain within the enemy's lines, and did not rejoin his company until about the 21st August, 1862, after the repulse of the enemy around Richmond.

FINDING.

The court after mature consideration, do find the accused:

Of the specification,	Guilty.
Of the charge,	Not Guilty.

SENTENCE.

The court do therefore sentence the accused to 60 days' hard labor with ball weighing 12 lbs. and chain attached to left leg, in charge of the Provost guard at Richmond, and to forfeit his pay proper for two months.

Case 31. Private Garry West, Co. "E," 26th Va. Vols.

CHARGE—Desertion.

Specification—In this, that the said Garry West did, on or about the 2d day of May, 1862, leave his company and regiment at Gloucester Point, remain within the enemy's lines, and did not rejoin his

company until the 19th day of July, after the repulse of the enemy around Richmond.

FINDING.

The court after mature consideration, do find the accused:

Of the specification,	Guilty.
Of the charge,	Guilty of absence without leave.

SENTENCE.

And the court do therefore sentence the accused to be confined 15 days in the regimental guard-house, and to forfeit one month's pay, and the court is thus lenient on account of his youth, and evident simplicity of the accused.

Case 32. Private R. B. Gillam, 46th Va. Vols.

CHARGE—Absence without leave.

Specification—In this, that the said Gillam did, on Saturday, the 16th August, 1862, leave the camp of the 46th regiment, without obtaining permission so to do, and did remain absent until Monday, the 18th Aug., 1862. This at the camp of the 46th Va. Regt., 1862.

FINDING.

The court after mature consideration, find the accused:

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

And the court is of opinion that the punishment which the accused has already suffered is sufficient for his offence.

Case 33. Private John L. Robinson, Co. "A," 46th Va. Vols.

CHARGE—Absence without leave.

Specification—In this, that the said Robinson did leave the camp of the 46th regiment, on Sunday, the 17th August, 1862, without obtaining leave so to do, and did remain away until Monday, the 18th of August, 1862. This at the camp of the 46th Va., August 18, 1862.

FINDING.

The court after mature consideration, find the accused:

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

And the court is of opinion that the punishment which the accused has already suffered is sufficient for his offence.

Case 34. Private R. M. Carter, Co. "A," 46th Va. Vols.

CHARGE—Absence without leave.

Specification—In this, that the accused on the 19th day of August, 1862, did leave the camp of the 46th Va. Regt., without obtaining permission so to do, and did not return until the 20th August, 1862. All this at camp of the 46th Va. Vols.

FINDING.

The court after mature consideration, do find the accused:

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

And the court is of the opinion that the punishment which the accused has already suffered is sufficient for his offence.

Case 35. Private Geo. C. Tyler, Co. "A," 46th Va. Vols.

CHARGE—Absence without leave

Specification—In this, that the said Tyler did, on or about Sunday, the 17th inst., leave the camp of the 46th regiment, without obtaining leave so to do, and did remain absent until the morning of Tuesday, the 19th. All this at the camp of the 46th Va. Regt., August 20, 1862

FINDING.

The court, after mature consideration do find the accused :

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

And the court is of the opinion that the punishment which the accused has already suffered is sufficient for his offence.

Case 36. Private Charles W. Adkinson, Co. "I," 4th Va. H. Artillery.

CHARGE—Desertion.

Specification—In this, that the accused did, on or about the 16th day of August, 1862, absent himself from his camp and regiment, without leave from his commanding officer, and did not return to his company until on or about August 26th, after he had been arrested by a guard on the Appomattox river, where the Richmond and Danville Railroad crossed the said river, from whence he was brought to Richmond and lodged in prison. All this at the camp of the 4th Regiment Va. H. Artillery, on Chaffin's farm, the 16th July, 1862.

FINDING.

And the court, after mature consideration, find the accused :

Of the specification,	Guilty.
Of the charge,	Guilty of absence without leave.

SENTENCE.

And the court do therefore sentence the accused to be confined seven days in the regimental guard house, and to the limits of his camp for the period at one month, at the same time performing his daily duties as a soldier.

II. The proceedings and findings in the foregoing cases are approved, and the sentences confirmed, and will be carried into execution, with the exceptions following :

Upon the recommendation of the court, the sentence of Private Charles W. Hibble, Co. "B," 26th Va. Regt., is remitted, and he will be returned to duty.

The proceedings in the case of Private Wm. P. Tucker, Co. "C," 26th Va. Regiment, are disapproved, the charge not being sustained by the evidence. The sentence will therefore be confirmed, but the prisoner will be released and returned to duty.

The proceedings in the case of Benj. Dudley, Co. "C," 26th Va. Regiment, are approved, but on account of the meagerness of the proof, as to important facts, and the previous good character of the prisoner as a soldier, the sentence is remitted except the forfeiture of pay.

The proceedings, findings and sentence in the case of John H. Nye, private Co. "A," 24th Va. Regiment, are disapproved. There is no direct evidence showing when or where the crime charged was committed, or indeed that the crime which was committed, was desertion. It only appears incidentally that the prisoner left his company at all; it does not appear that he left it at King and Queen county, either with or without leave; that he went to Gloucester county and was found and captured there on the day indicated in the charge, or any other day, or being so captured was brought to Richmond. The evidence does not sustain the charge. The prisoner will therefore be relieved and returned to duty.

The proceedings in the case of Wm. A. Ballome and Phillip P. Yuille, Co. "C," 4th Va. Artillery, are disapproved, for the following reasons: 1st. The facts charged in the specification do not constitute mutiny. 2nd. Where a written document constitutes the gist of an offence, it must be set forth in the charge verbatim. In these cases the written document is neither embraced in the charges, nor does it appear at all in the records. 3rd. Where a violation of a particular Article of War is charged, as such, the court cannot find the accused guilty under another article, even if that article relates to a less degree of the same offence set forth in the article charged, which it does not in this case. Under a charge therefore of "Violation of — Article of War," the court find guilty of conduct to prejudice of good order and military discipline. The prisoners will be released and returned to duty.

The proceeding in the case of Private Wm. R. Butts, Co. "C," 4th Va. Heavy Artillery, are disapproved—evidence being introduced unsupported by oath, to disprove the confession of the prisoner, which was itself introduced by the prosecution. The prisoner will be released and returned to duty.

By command of Major General G. W. SMITH,

SAMUEL W. MELTON,

Major and Assistant Adjutant General.

HEADQUARTERS, RICHMOND, VA.,

November 8, 1862.

GENERAL ORDERS, }
No. 12. }

I. At a General Court Martial convened and held by virtue of General Order, No. 6, from these headquarters, at the camp of Brigadier General H. A. Wise's Brigade, on the 15th October, 1862, the following named prisoners were arraigned and tried:

Case 1. Private John W. Snead, "Lunenburg Rebel Artillery."

CHARGE—Absence without leave.

Specification—In this, that Private John W. Snead, of the Lunenburg Rebel Artillery, having a sick furlough for 15 days, commencing on the 7th June, 1862, did not join his company until brought back on the 19th July, 1862, by a guard sent to Lunenburg county for that purpose.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

To lose his pay proper for two months; but on account of the extenuating circumstances of the case, the court would earnestly and respectfully recommend that the foregoing sentence be remitted.

Case 2. Private Edward M. Elder, "Lunenburg Rebel Artillery."

CHARGE—Absence without leave.

Specification—In this, that Private Edward M. Elder, of the Lunenburg Rebel Artillery, having a sick furlough for ten days, commencing on the 7th of April, 1862, did not rejoin his company until brought back on the 19th of July, 1862, by a guard sent to Lunenburg county for that purpose.

FINDING.

Of the specification,
Of the charge,

Guilty.
Not guilty.

And the court do therefore acquit the accused.

Case 3. Private Joshua G. Jackson, "Lunenburg Rebel Artillery."

CHARGE—Absence without leave.

Specification—In this, that Private Joshua G. Jackson, of the Lunenburg Rebel Artillery, having a sick furlough for 20 days, commencing on the 6th May, 1862, did not rejoin his company until the 17th of July, 1862.

FINDING.

Of the specification,
Of the charge,

Guilty.
Not guilty.

And the court do therefore acquit the accused.

Case 4. Private James W. Parrish, of the "Lunenburg Rebel Artillery."

CHARGE—Absence without leave.

Specification—In this, that Private Jas. W. Parrish, of the Lunenburg Rebel Artillery, having a sick furlough for 15 days, commencing on the 10th May, 1862, did not rejoin his company until brought back on the 19th July, 1862, by a guard sent to Lunenburg county for that purpose.

FINDING.

Of the specification
Of the charge,

Guilty.
Not guilty.

And the court do therefore acquit the accused.

Case 5. Private Chas. A. Dupriest, of the "Lunenburg Rebel Artillery."

CHARGE—Absence without leave.

Specification—In this, that Private Chas. A. Dupriest, of the Lunenburg Rebel Artillery, having a sick furlough for 10 days, commencing on the 7th of June, 1862, did not rejoin his company until brought back on the 19th July, 1862, by a guard, sent to Lunenburg county for that purpose.

FINDING.

Of the specification,
Of the charge,

Guilty.
Not guilty.

And the court do therefore acquit the accused.

Case 6. Private T. L. Piercy, of the "Lunenburg Rebel Artillery."

CHARGE—Absence without leave.

Specification—In this, that Private T. L. Piercy, of the Lunenburg Rebel Artillery, having a sick furlough for 21 days, commencing on the 27th of May, 1862, did not rejoin his company until the 18th of July, 1862.

FINDING.

Of the specification
Of the charge,

Guilty.
Not Guilty.

And the court do therefore acquit the accused.

Case 7. Private Robt. H. Crittenden, of the "Gloucester Artillery."

CHARGE—Absence without leave.

Specification—In this, that Private Robert H. Crittenden, having a sick furlough for a few days, commencing on the 4th May, 1862, did not rejoin his company until the 16th July, 1862.

FINDING.

Of the specification,
Of the charge,

Not guilty.
Not guilty.

And the court do therefore acquit the accused.

Case 8. Private James F. Padgett, of the "Gloucester Artillery."

CHARGE—Absence without leave.

Specification—In this, that Private James F. Padgett, of the Glou-

cester Artillery, having leave of absence for one day, commencing on or about the 4th of May, 1862, did not rejoin his company until the 12th of July, 1862.

FINDING.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

To three months' hard labor at his camp, with ball, weighing 12 lbs., and chain attached to left leg.

Case 9. Private William A. Murphy, Co. "C," 26th Va. Regt.

CHARGE—Violation of the 46th Article of War.

Specification—In this, that Private W. A. Murphy, of Co. "G," 26th Va. Regt., having been duly posted as a sentinel, was found sleeping on post, he being a member of the guard. This at Chaffin's farm, the 9th Oct., 1862.

FINDING.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE

And the court do therefore sentence the accused to lose his pay proper for two months, and to be publicly reprimanded by his Colonel in the presence of his regiment, and the court is thus lenient on account of the youthfulness and previous good conduct of the accused, together with the fact that, as shown by the evidence, considerable latitude had been allowed sentinels on this post.

Case 10. Private James C. Howell, of the "King and Queen Artillery."

CHARGE—Absence without leave.

Specification—In this, that Private James C. Howell, of the King and Queen Artillery, did, on or about the 17th Sept., 1862, leave his company, stationed near Chaffin's Bluff, without permission, and remained absent until the 24th Sept., 1862. This near Chaffin's Bluff.

FINDING.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

To ten days' hard labor under the direction of the Colonel of his post, and to the loss of his pay proper for one month.

Case 11. Private L. N. Banks, Co. "D," 26th Va. Vols.

CHARGE 1st.—Violation of the 9th Article of War.

Specification—In this, that the said Private L. N. Banks, of Co. "D," 26th Va. Vols., did, on or about the 8th day of September, 1862, refuse to march to his post as sentinel, (being a member of the guard at Brigade Hospital), when ordered to do so by Sergeant Jeffries commanding the guard.

CHARGE 2nd.—Violation of the 6th Article of War.

Specification—In this, that the said Private Banks, of Co. "D," 26th Va. Vols., did, on or about the 8th day of September, 1862, (after refusing to obey the order of the Sergeant commanding the guard),

curse and abuse him, and did dare the said Sergeant Jeffries, commanding the guard, out in the road to fight.

CHARGE 3rd—Violation of the 50th Article of War.

Specification—In this, that the said Private L. N. Banks, of Co. "D," 26th Virginia Volunteers, did, on or about the 8th day of September, 1862, leave his guard at Brigade Hospital, and remain away all day without permission.

FINDING.

Of specification of 1st charge,	Guilty.
Of 1st charge,	Guilty.
Of specification of 2nd charge,	Guilty.
Of 2nd charge,	Guilty.
Of specification of 3rd charge,	Guilty, except the words "all day."
Of 3rd charge,	Guilty.

SENTENCE.

To six months hard labor, with ball weighing 12 lbs., and chain attached to left leg, in charge of the Provost Marshal at Richmond, and to lose his pay proper for the same time.

Case 12. Private Robert H. Anderson, Co. "H," 26th Virginia Volunteers.

CHARGE—Desertion.

Specification—In this, that Private R. H. Anderson, Company "H," 26th Virginia Volunteers, did, on the 2nd day of May, when Gloucester Point was ordered to be evacuated, apply to the Surgeon for transportation upon ground of disability, and that the Surgeon refused to allow him, the said Anderson transportation, and that on the day after, he obtained a pass from his captain to go to Richmond, and to report to his company in 10 days or be considered a deserter; and that the said Private Anderson, instead of going to Richmond, did go to his home within the lines of the enemy, and did there remain until about the 10th of September, on which day he reported in person to his company.

FINDING.

Of specification, guilty, (except the words: "To Richmond," and "in ten days or be considered a deserter.")	
Of charge,	Guilty of absence without leave.

SENTENCE.

And the court do therefore sentence the accused to thirty days hard labor under the direction of his Colonel; and the court is thus lenient on account of the extenuating circumstances of the case.

Case 13. Private James L. Brown, Company "G," 26th Virginia Volunteers.

CHARGE—Desertion.

Specification—In this, that the said Private James L. Brown, of Company "G," 26th Virginia Volunteers, did, on the 5th day of May, 1862, leave his regiment at King and Queen Court-house, and go to his home, and did not rejoin his regiment again until the 1st day of October, 1862.

Of the specification,
Of the charge,

FINDING.

Guilty.
Guilty of absence without leave.

SENTENCE.

To forfeit all pay proper from the 1st day of May, to the 1st day of December, 1862, and to three months hard labor, with ball weighing 12 lbs., and chain attached to left leg, in charge of the Provost Guard at Richmond.

Case 14. Private Wm. Cumbia, of the "Lunenburg Rebel Artillery."

CHARGE—Absence without leave.

Specification—In this, that Private Wm. Cumbia, of the Lunenburg Rebel Artillery, having a sick furlough of 15 days, commencing on the 6th May, 1862, did not rejoin his company until brought back on the 20th July, 1862, by a guard sent to Lunenburg county for that purpose.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

And the court is of the opinion that the punishment which the accused has already suffered is sufficient for the offence.

Case 15. Private John H. Eiger, Co. "G," 26th Va Vols.

CHARGE—Violation of the 9th Article of War.

Specification 1st—In this, that Private John H. Eiger, of Company "G," 26th Regiment Virginia Volunteers, did, on or about the 20th day of September, 1862, while on the march from Chaffin's farm, Henrico county, Virginia, to Bradley's Store, Charles City county, Virginia, at or near the residence of Dr. Crenshaw, in Charles City county, Virginia, refuse to take his place in the ranks of his company, when ordered to do so by Captain John T. Perrin, company "E," 26th Virginia Volunteers, commanding the rear guard.

Specification 2d—In this, that the said private John H. Eiger, of Company "G," 26th Regiment Virginia Volunteers, did, on or about the 20th day of September, 1862, while on the march from Chaffin's farm, in Henrico county, Virginia, to Bradley's Store, in Charles City county, Virginia, near the residence of Dr. Crenshaw, in Charles City county, Virginia, resist Corporal Wm. Adams, who was sent by the said Captain John T. Perrin, Company "E," 26th Virginia Volunteers, commanding rear guard, to arrest said John H. Eiger, of Company "G," 26th Virginia Volunteers, and the said John H. Eiger, did, on or about the day and date above specified, and at the place specified or thereabouts, strike Corporal Wm. Adams while attempting to arrest said Private John H. Eiger, said Corporal Adams being in the execution of his office.

FINDING.

Of specification 2nd,
Of specification 1st,
Of charge,

Guilty.
Guilty.
Guilty.

SENTENCE.

And the court do therefore sentence the accused to six months' hard labor in charge of the Provost Guard, at Richmond; and the

court is thus lenient on account of the extreme youthfulness of the accused.

Case 16. Sergeant A. M. Sculthorpe, of Co. "B," 4th Va. Heavy Artillery.

CHARGE—Absence without leave.

Specification.—In this, that Sergeant A. M. Sculthorpe, of Co. "B," 4th Va. Heavy Artillery, did, on the 22d day of September, 1862, absent himself from camp without leave, and did not return until the first day of October, 1862. All this at the 4th Artillery camp, near Chaffin's Bluff, on or about the 22d of September, 1862.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

To be reduced to the ranks, and to be reprimanded by his Colonel in presence of his regiment; and the members of the court do respectfully recommend that the foregoing sentence be remitted, in consideration of the previous unexceptionable character of the accused.

Case 17. Sergeant R. W. Land, of Co. "B," 4th Va. Heavy Art.

CHARGE—Absence without leave.

Specification.—In this, that Sergeant R. W. Land of Co. "B," 4th Va. Heavy Artillery, did, on the 19th day of September, 1862, absent himself from camp without leave, and did not return until the 29th day of September, 1862. All this at the camp of the 4th Va. Heavy Artillery, on or about the 19th day of September, 1862.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

To be reduced to the ranks, and be reprimanded by his Colonel in the presence of his regiment. The members of the court would respectfully recommend that the foregoing sentence be remitted, in consideration of the former good character of the accused.

II. The proceedings, findings and sentences in the cases of privates Wm. A. Murphy and James C. Howell, King and Queen Artillery, Robert H. Anderson, Co. "H," James L. Brown, Co. "G," and John H. Liger, Co. "G," 26th Va. Regt., are approved, and the sentences will be duly executed.

The proceedings, findings and sentence in the case of John W. Snead of the Lunenburg Rebel Artillery, are disapproved.

1st. Because the alleged offence is not stated to have been committed at any particular place. It may possibly be inferred, but is not stated with sufficient distinctness.

2d. The finding is contrary to the evidence. The prisoner will be released and returned to duty.

The proceedings in the cases of Edward M. Elder, Joshua G. Jackson, James W. Farrish, Charles A. Dupriest and T. L. Piercy, of the Lunenburg Rebel Artillery, Robert H. Crittenden, of the Gloucester Artillery; the proceedings and findings in the case of William Cumbia, of the Lunenburg Rebel Artillery; and the pro-

ceedings, findings and sentences in the cases of James F. Padgett, of the King and Queen Artillery, and L. N. Banks, Co. "D," 26th Va. regiment, are disapproved. The place of the commission of the alleged offences in each case, being either not stated, or not stated with sufficient distinctness. The prisoners will be released and returned to duty.

The proceedings, findings and sentences in the cases of Sergeants A. M. Sculthorpe and of R. W. Land, both of Co. "B," 4th Virginia Heavy Artillery, are approved. On the recommendation of members of the court, and in consideration of the circumstances, and of the good character of the accused, the sentences are remitted. The prisoners will be released and returned to duty.

By command of Major General G. W. Smith,

SAMUEL W. MELTON,
Major and A. A. General,

HEADQUARTERS, RICHMOND, VA.

December 12, 1862.

GENERAL ORDERS, }
No. 17. }

I. Further proceedings of the General Court Martial convened at the headquarters of Brig. Gen. Henry A. Wise, by virtue of General Orders, No. 6, current series, from these headquarters, in continuation of General Order, No. 12, were arraigned and tried the following cases: (The specifications being minute and lengthy are omitted:)

Case 18. Private Charles E. C. Booker, of the Gloucester Artillery.

CHARGE—Desertion.

FINDING.

Of the specification,

Not Guilty.

Of the charge,

Not Guilty.

And the court do therefore acquit the accused.

Case 19. Private Jos. H. Dodson, Co. "A," 46th Va. Vols.

CHARGE—Absence without leave.

FINDING.

Of the specification,

Guilty.

Of the charge,

Guilty.

SENTENCE.

To fifteen days hard labor, eight hours each day, and to confinement in the guard-house when not at work, during this period.

Case 20. Private John Michaux, Co. "I," 20th Va. Regt.

CHARGE—Absence without leave.

FINDING.

Of the specification,

Guilty.

Of the charge,

Guilty.

SENTENCE.

To fifteen days hard labor, eight hours a day, under the direction of his Colonel, and to be confined in the guard-house when not at work, during the same period.

Case 21. Lieut. Jas. S. Mason, Co. "B," 4th Va. Heavy Artillery.

CHARGE—Disobedience of orders.

FINDING.

Of the specification,

Guilty.

Of the charge,

Guilty.

And the court decline to inflict any punishment on the accused, believing that he was justifiable in doing what he did, under the circumstances, as shown by the evidence.

Case 22. Private George C. Tyler, of Co. "A," 46th Va. Vols.

CHARGE—Absence without leave.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

To hard labor for twenty days, eight hours a day, and to be confined in the guard-house during this period, when not at work; then to be confined ten days on bread and water, and to forfeit his pay proper for two months.

Case 23. Private Maurice Gleason, Co. "I," 46th Va. Vols.

CHARGE—Desertion.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty of absence without leave.

SENTENCE.

To fifteen days hard labor, eight hours a day, under the direction of his Colonel, and to be confined to the guard-house when not at work during this period, and the court is thus lenient on account of the previous good character of the accused, and other extenuating circumstances.

Case 24. Second Lieutenant Charles W. Ballowe, 4th Va. Heavy Artillery.

CHARGE—Neglect of duty.

FINDING.

Of the specification,
Of the charge,

Not Guilty.
Not Guilty.

And the court do therefore acquit the accused.

Case 25. Private S. H. Mitchell, Company "I," 4th Va. Heavy Artillery.

CHARGE—Neglect of duty.

FINDING.

Of the specification,
except the words, "without giving any alarm."
Of the charge,

Guilty.
Guilty.

SENTENCE.

To be reprimanded by his Colonel in the presence of his regiment.

Case 26. Private James M. Mountjoy, Co. "A," 46th Va. Vols.

CHARGE—Absence without leave.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

To be reprimanded by his Colonel in the presence of his regiment. The members of the court would respectfully request that the foregoing sentence be remitted, in consideration of the previous good character of the accused, together with his evident contrition, and the peculiar circumstances under which the offence was committed.

Case 27. Private Samuel Morris, Co. "D," 4th Virginia Heavy Artillery.

CHARGE—Desertion.

FINDING.

Of the specification, Guilty, except the words "desert on the way thither, by absenting himself from the wagon or ambulance, in which he was being conveyed to said hospital, and did."

Of the charge, Guilty of absence without leave.

SENTENCE.

To six months hard labor, with ball weighing twelve pounds and chain attached to left leg, in charge of the Provost guard at Richmond.

Case 28. Private H. K. Broyles, Co. "D," 4th Virginia Heavy Artillery.

CHARGE—Absence without leave.

FINDING.

Of specification 2d,	Guilty.
Of specification 1st,	Guilty.
Of charge,	Guilty.

SENTENCE.

To lose his pay for two months, and to perform ten extra hours of guard duty, according to the discretion of his Captain.

Case 29. Private John Griffin, of Captain John J. Young's Company of Howitzers.

CHARGE 1st—Absent without leave.

CHARGE 2d—Disobedience of orders.

FINDING.

Of specification of charge 1st,	Guilty.
Of charge 1st,	Guilty.
Of specification of charge 2d,	Guilty.
Of charge 2d,	Guilty.

SENTENCE.

To ten days hard labor under the direction of his Colonel, and the court is thus lenient on account of the punishment which the accused has already suffered.

Case 30. Private William A. Allen, of Captain John J. Young's Company of Howitzers.

CHARGE 1st—Absence without leave.

CHARGE 2d—Disobedience of orders.

FINDING.

Of specification of charge 1st,	Guilty.
Of charge 1st,	Guilty.
Of specification of charge 2d,	Guilty.
Of charge 2d,	Guilty.

SENTENCE.

To ten days's hard labor under the direction of his colonel; and the court is thus lenient in consideration of the punishment which the accused has already suffered.

II. The proceedings, findings, and sentences in the case of Lieuts. James S. Mason and Charles W. Ballowe, 4th Virginia Heavy Artillery, and Privates E. C. Booker, of the Gloucester Artillery, are approved. The parties will be released from arrest, and returned to duty.

The proceedings, findings and sentences in the cases of privates Jos.

H. Dodson and George C. Tyler, of Co. "A," and Maurice Gleason, of Co. "I," 46th Virginia Volunteers, John Michaux, Co. "I," 20th Virginia Volunteers, Samuel Morris and H. K. Broyles, of Co. "D," and S. H. Mitchell, of Co. "I," 4th Virginia Heavy Artillery, John Griffin and William A. Allen, of Capt. John J. Young's Howitzer Company, are approved and the sentences will be duly executed.

The proceedings, finding, and sentence in the case of Private Jas. M. Mountjoy, Co. "A," 46th Virginia Volunteers, are approved.

In consideration of the previous good conduct of the accused, and the circumstances of the case, upon the unanimous recommendation of the members of the court, the sentence is remitted.

The court, of which Lieut. Col. Randolph Harrison is President, is hereby dissolved.

By command of Major General G. W. SMITH.

SAM'L W. MELTON,

Maj. & A. A. General.

HEADQUARTERS, RICHMOND, VA.,
December 12th, 1862.

GENERAL ORDERS, }
No. 18. }

I. At a General Court Martial convened and held by virtue of General Order No. 10, from these Headquarters, at Staunton, Va., on the 15th day of November, 1862, the following cases were arraigned and tried:

Case 1. Capt. Frank Henderson, A. C. S., C. S. A.

CHARGE—Drunk on duty.

FINDING.

Of specification 1st,	Not guilty.
Of specification 2d,	Not guilty.
Of charge,	Not guilty.

And the court do therefore acquit the accused.

Case 2. Private J. H. Reagan, of the Provost Guard, at Staunton, Virginia.

CHARGE—Insubordinate conduct.

FINDING.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

To 15 days hard labor, at the expiration of which he is also to be reprimanded by his captain, in the presence of his company.

Case 3. Assistant Surgeon J. O. Harris, P. A., C. S.

CHARGE—Conduct unbecoming an officer and a gentleman.

FINDING.

Of the specification,	Not guilty.
Of the charge,	Not guilty.

And the court do therefore acquit the accused.

Case 4. Private Charles Childress, "Caskie Rangers," 10th Regt. Virginia Cavalry.

CHARGE—Conduct prejudicial to good order and military discipline.

FINDING.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

To hard labor, with ball and chain, on the fortifications at or near Richmond, for the space of four months, and to forfeit his pay for the same period.

Case 5. Private Frederick Daniell, "Caskie Rangers," 10th Regt. Virginia Cavalry.

CHARGE—Conduct prejudicial to good order and military discipline.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

To hard labor, with ball and chain, on the fortifications at or near Richmond, Virginia, for the space of four months, and to forfeit his pay for the same period.

II. The proceedings, findings and sentences in the cases of Capt. Frank Henderson, A. C. S., C. S. A., and Assistant Surgeon J. O. Harris, P. A., C. S., are approved. They will be relieved from arrest and returned to duty.

The proceedings, findings and sentences in the cases of Private J. H. Reagan, of the Provost Guard, at Staunton, Virginia, and Charles Childress and Frederick Daniell, of the Caskie Rangers, 10th Regiment Virginia Cavalry, are approved, and the sentences will be duly executed.

The court, of which Col. M. G. Harman is President, is hereby dissolved.

By command of Major General G. W. SMITH.

SAM'L W. MELTON,
Maj. & A. A. General.

HEADQUARTERS, RICHMOND,
January 13th, 1863.

GENERAL ORDERS, }
No. 3. }

I. At a General Court Martial convened and held by virtue of General Order No. 5, of October 8, 1862, from these Headquarters, at the Headquarters of Brigadier General Junius Daniel, were arraigned and tried the following, (the specifications being minute and long are omitted):

Case 1. Private Jeremiah E. Moore, Co. "I," 45th North Carolina troops.

CHARGE—Absence without leave.

SENTENCE.

To be sent back to his regiment and put to hard labor for one month; and the court is thus lenient on account of his age and the attendant circumstances of the case.

Case 2. Private William F. Jordan, Co. "H," 43d Regiment North Carolina troops.

CHARGE—Desertion.

FINDING.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

To receive thirty-nine lashes on his bare back, and to be branded in the left hand with the letter D in the presence of the brigade, and to be put to hard labor on public works for three months, with ball and chain weighing twelve pounds attached to left leg.

Case 3. Private L. B. Seymour, Co. "E," 50th North Carolina troops.

CHARGE—Desertion.

FINDING.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

To receive thirty-nine lashes on his bare back, every three months, for the period of the war; to be branded in the left hand with the letter "D," and to be put to hard labor in Richmond, with ball and chain, weighing twelve pounds, attached to left leg, for the balance of the war.

Case 4. Private Andrew Miller, Co. "F," 32d N. Carolina troops.

CHARGE—Desertion.

FINDING.

Of the specification,
Of the charge,

Not guilty.
Not guilty.

And the accused is therefore acquitted.

Case 5. Private Geo. Sams, Co. "F," 45th North Carolina troops.

CHARGE—Desertion.

FINDING.

Of the specification,

Guilty.

Of the charge,—Not guilty of desertion, but guilty of absence without leave.

SENTENCE.

To hard labor, with ball and chain, or block and chain, weighing twelve pounds, every alternate ten days for sixty days; to be in solitary confinement in the intervals, and to forfeit two months' pay.

Case 6. Private James Hill, Co. "A," 45th North Carolina troops.

CHARGE—Desertion.

FINDING.

Of the specification,

Guilty.

Of the charge,—Not guilty of desertion, but guilty of absence without leave.

SENTENCE.

To twenty-five days hard labor, with ball and chain, or block and chain, weighing twelve pounds, attached to left leg, and seven days solitary confinement on bread and water.

Case 7. Private John Warwick, Co. "B," 43d N. C. Troops.

CHARGE—Desertion.

FINDING.

Of the specification,

Guilty.

Of the charge,

Guilty.

SENTENCE.

To receive thirty-nine lashes on his bare back, in presence of the brigade to which he belongs, and that he then be sent to Richmond and put to his trade, shoemaking, for the balance of the war, wearing at the same time a ball and chain weighing twelve pounds, attached to left leg; and the court is thus lenient on account of his age and extenuating circumstances.

Case 8. Private Lorenzo D. Williams, Co. "F," 45th N. C. Troops.

CHARGE—Desertion.

FINDING.

Of the specification,

Guilty.

Of the charge—not guilty of desertion, but guilty of absence without leave.

SENTENCE.

To hard labor, with ball and chain weighing twelve pounds attached to left leg, every alternate ten days, for sixty days, and to be in close confinement the intervals.

Case 9. Private John S. Wilson, Co. "F," 45th N. C. Troops.

CHARGE—Desertion.

FINDING.

Of the specification,

Guilty.

Of the charge—not guilty of desertion, but guilty of absence without leave.

SENTENCE.

From the evidence before the court, doubting whether the prisoner was of sound mind at the time, declines to award any punishment. The court being convinced, from the evidence before it, that the prisoner is unfit for military service on account of occasional fits of mental derangement, do therefore recommend that he be discharged the service.

Case 10. David Holly, Co. "D," 50th North Carolina troops.

CHARGE—Desertion.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

To receive fifty lashes on his bare back, and be branded in the left hand with the letter "D," in presence of the brigade to which he belongs; and to be in close confinement for thirty days, the first and last ten days on bread and water; and the court declares that it is more lenient than it otherwise would be, on account of the lax discipline at Camp Mangum, at the time of the desertion of the accused.

Case 11. Private Bryant Knott, Co. "D," 45th North Carolina troops.

CHARGE—Absence without leave.

SENTENCE.

To forfeit all pay now due him, and to be in close confinement for thirty days, the first and last ten on bread and water; and the court is thus lenient on account of the inability of the prisoner to bear heavier punishment.

Case 12. Private George W. Nelson, Co. "D," 45th N. C. troops.

CHARGE—Absence without leave.

SENTENCE.

To thirty days close confinement, the first and last, and ten days on bread and water.

Case 13. Private Milton Fulp, Co. "B," 45th N. C. T.

CHARGE—Absence without leave.

SENTENCE.

To fourteen days solitary confinement, on bread and water, to be bucked at the beginning of each week of this time in presence of his regiment, on dress parade.

Case 14. Private John W. Earles, Co. "G," 50th N. C. T.

CHARGE—Desertion.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

To receive twenty lashes on his bare back, to be branded in the left hand with the letter "D," and to be in solitary confinement on bread and water for fourteen days.

Case 15. Lieutenant John Davis, 32d N. C. T.

CHARGE 1st—Disobedience of orders.

CHARGE 2d—Conduct prejudicial to good order and military discipline.

FINDING.

Of specification of first charge,	Not Guilty.
Of first charge,	Not Guilty.
Of first specification of second charge,	Not Guilty.
Of second specification of second charge,	Not Guilty.
Of third specification of second charge,	Guilty.
Of second charge,	Guilty.

SENTENCE.

To be reprimanded by his colonel in presence of the officers of the regiment to which he belongs.

Case 16. Private William Watters, Co. "G," 50th N. C. T.

CHARGE—Absence without leave.

FINDING.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

To hard labor for six months, with ball and chain weighing twelve pounds attached to his left leg, and to be bucked every Sunday during this time, in presence of the regiment, either at inspection or dress parade.

Case 17. Private Berry B. Hardin, Co. "I," 50th N. C. Troops.

CHARGE—Absence without leave.

SENTENCE.

To fourteen days solitary confinement on bread and water.

Case 18. Private Jasper Thomas, Co. "F," 50th N. C. Troops.

CHARGE—Desertion.

FINDING.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

To receive thirty-nine lashes on his bare back, to be branded in the left hand with the letter "D." and to be put to hard labor for six months, on government work, with ball and chain weighing twelve pounds, attached to his left leg.

Case 19. Private George H. Montford, of Captain William I. Dabney's heavy field artillery.

CHARGE 1st—Absence without leave.

CHARGE 2d—Conduct prejudicial to good order and military discipline.

FINDING.

Of the specification of the second charge,	Not Guilty.
Of the second charge,	Not Guilty.

The court being of opinion that the accused has suffered sufficient punishment already, declines awarding any punishment on the first charge.

Case 20. Lieutenant Jesse L. Ferguson, 32d N. C. Troops.

CHARGE 1st—Disobedience of orders.

CHARGE 2d—Conduct prejudicial to good order and military discipline.

FINDING.

Of the specification of first charge,	Not Guilty.
Of first charge,	Not Guilty.
Of first specification of second charge, Birdsong to go to Halfway Station.	Guilty so far as taking
Of second specification of second charge, Birdsong and Griffin to Halfway Station.	Guilty of inciting
Of third specification of second charge,	Guilty.
Of fourth specification of second charge,	Not Guilty.
Of second charge,	Guilty.

SENTENCE.

To be suspended from command and pay for one month.

II. The proceedings, findings and sentences in the cases of privates Andrew Miller, Co. "F," 32d regiment N. C. Troops, and John S. Wilson, Co. "F," 45th regiment N. C. Troops, are approved. The prisoners will be released and returned to duty.

The proceedings and sentences in the cases of privates Jeremiah E. Moore, Co. "I," Bryant Knott and George W. Nelson of Co. "D," and Milton Fulp, of Co. "B," 45th regiment N. C. Troops, Benjamin P. Harding, Co. "I," 50th regiment N. C. Troops, and George H. Montford, of captain W. I. Dabney's heavy field artillery, are disapproved, because of the courts making no finding, and of the introduction of evidence on the part of the prosecution upon the plea of guilty. The prisoners will be released and returned to duty.

The proceedings, findings and sentences in the cases of Lieutenant John Davis and Jesse L. Ferguson, 32d N. C. Troops, and private William Watters, Co. "G," 50th N. C. Troops, are disapproved, because the officer preferring the charges was a member of the court sitting on the trial. They will be released and return to duty.

The proceedings, findings and sentences in the cases of privates William T. Jordan, Co. "H," and John Warwick, Co. "B," 43d regiment N. C. Troops, L. B. Seymour, Co. "E," John W. Earles, Co. "G," David Holly, Co. "D," and Jasper Thomas, Co. "F," 53th regiment N. C. Troops, George Sams, and Lorenzo D. Williams, of Co. "F," and James Hill, of Co. "A," 45th regiment N. C. Troops, are approved. The sentences will be duly executed.

By command of Major General G. W. SMITH.

SAMUEL W. MELTON,
Major and A. A. General.

HEADQUARTERS, RICHMOND,
January 16, 1863.

GENERAL ORDERS, }
No. 5. }

I. Further proceedings of the General Court Martial, convened at Richmond, by virtue of General Orders, No. 7, October 11th, 1862, from these Headquarters, in continuation of General Orders No. 19, of 1862, were arraigned and tried, the following. (The specifications, being minute and long, are omitted.)

Case 2. Private Isaac Hall, Co. "C," 18th Va. Battalion Heavy Artillery.

CHARGE—Disobedience of orders.

FINDING AND SENTENCE.

The court confirms the plea of guilty, but in consideration of the evidence, (no intention to violate orders having appeared,) and his previous good character having been established, the court doth adjudge that the accused, private Isaac Hall, go without punishment.

Case 3. Private Willis Brown, Co. "A," 18th Bat., Va. Heavy Artillery.

CHARGE—Conduct prejudicial to good order and military discipline.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

To three months hard labor, and forfeiture of three months' pay.

Case 4. Sergt. Andrew H. Thompson, Co. "C," 18th Bat. Va. Heavy Artillery.

CHARGE 1ST—Drunkenness.

CHARGE 2D—Conduct prejudicial to good order and military discipline.

FINDING AND SENTENCE.

The court confirms the pleas of guilty, and sentences accused to be reduced to the ranks and to forfeit one months' pay.

Case 5. Private Jeremiah Farrisee, Co. "A," 10th Bat. Va. Heavy Artillery.

CHARGE—Desertion.

FINDING.

Not guilty of desertion, but guilty of absence without leave.

SENTENCE.

To forfeiture of three months' pay.

Case 6. George W. Sturgeon, Co. "D," 19th Bat. Va. Heavy Artillery.

CHARGE—Desertion.

FINDING.

Of the specification—Guilty, so far as the fact that after enlisted as a substitute, he was absent from his company without leave, from the 31st day of August, 1862, to the 3d day of September, 1862.

Of the charge—Not guilty, but guilty of absence without leave.

SENTENCE.

The court, in consideration of the fact that the prisoner has been kept in close confinement for nearly two months, and the further fact of his former good behavior and his present bad health, award no punishment.

Case 7. Private John T. Hill, "Montgomery True Blues," Light Artillery.

CHARGE—Absence without leave.

FINDING.

Of the specification,

Guilty.

Of the charge.

Guilty.

SENTENCE.

To hard labor for one month, and forfeiture of two months' pay.

Case 8. Private Stephen B. Thayer, Co. "B," 18th Bat. Va. Heavy Artillery.

CHARGE—Conduct prejudicial to good order and military discipline.

FINDING.

Of the specification,

Guilty.

Of the charge,

Guilty.

SENTENCE.

To one months' hard labor, and four months' forfeiture of pay.

Case 9. Private Stephen B. Thayer, Co. "B," 18th Bat. Va. Heavy Artillery.

CHARGE—Neglect of duty.

FINDING.

Of specification 1st,

Not guilty.

Of specification 2d,

Not guilty.

Of the charge,

Not guilty.

And the court do therefore acquit the accused.

Case 10. Lieut. R. H. Bayliss, "Alexandria Light Artillery."

CHARGE—Disobedience of orders.

FINDING AND SENTENCE.

The court confirms the plea of guilty, and sentence the accused to be cashiered.

Case 11. Private Albert Dreyspring, "Montgomery True Blues," Light Artillery.

CHARGE 1st.—Violation of the 5th Article of War.

CHARGE 2d.—Violation of the 6th Article of War.

CHARGE 3d.—Violation of several Articles of War.

CHARGE 4th.—Violation of the 9th Article of War.

FINDING.

Of specification of 1st charge,	Guilty.
Of 1st charge,	Guilty.
Of specification of 2nd charge,	Guilty.
Of 2nd charge,	Guilty.
Of specification of 3rd charge,	Guilty.
Of 3rd charge,	Guilty.
Of specification of 4th charge—Guilty, with the exception of the words “ raise a club against his commanding officer.”	
Of 4th charge,	Guilty.

SENTENCE.

To hard labor with ball and chain for twelve months, to forfeiture of all pay during that period, and to be confined when not at work.

As the previous good conduct of the accused has been established by evidence, and it is not shown in evidence that the misconduct of the accused was premeditated, and as a portion of the remarks of the accused were made (while the accused was drunk.) under serious provocation from an enlisted man of the company, whose conduct in the opinion of the court was very reprehensible and eminently deserving of punishment, the court is thus lenient in sentencing the accused.

Case 12. Private John Lambert, Co. “ B,” 20th Bat. Va. Heavy Artillery.

CHARGE—Sleeping on post.

FINDING.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

To three months' hard labor, and forfeiture of pay for that period.

Case 13. Private Samuel Tucker, Co. “ B,” 20th Va. Heavy Artillery.

FINDING.

CHARGE—Sleeping on post.	
Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

To six months' hard labor, and forfeiture of pay during that period.

Case 14. Captain T. M. Browne, 2d Florida Regiment.

CHARGE 1st—Disobedience of orders.

FINDING.

Of specification 1st,	Not Guilty.
Of specification 2d,	Not Guilty.
Of the charge,	Not Guilty.

And the accused was therefore acquitted.

Case 15. Private J. M. Sabalot, Co. “ G,” 5th Louisiana Regt.

CHARGE—Desertion.

FINDING.

Of the specification,	Not Guilty.
Of the charge,	Not Guilty.
And the accused was therefore acquitted.	

Case 16. Private John Patterson, Co. "B," 18th Battalion Virginia Heavy Artillery.

CHARGE—Conduct prejudicial to good order and military discipline.

FINDING.

Of specification 1st,	Guilty.
Of specification 2d,	Guilty.
Of charge,	Guilty.

SENTENCE.

To six months' hard labor and forfeiture of pay for the same period.

Case 17. Lieutenant G. B. Thompson, 1st Texas Regiment.

CHARGE 1st—Disobedience of orders.

CHARGE 2d—Conduct unbecoming an officer and a gentleman.

FINDING.

Of specification of 1st charge,	Not Guilty.
Of 1st charge,	Not Guilty.
Of specification of 2d charge,	Not Guilty.
Of 2d charge,	Not Guilty.

And the accused was therefore acquitted.

Case 18. Private T. J. Vaughan, Co. "D," 10th Battalion Virginia Heavy Artillery.

CHARGE—Desertion.

FINDING.

Of the specification,	Guilty of so much as implies absence without leave from 28th of August to 2d September, 1862.
Of charge,	Not guilty of desertion, but guilty of absence without leave.

SENTENCE.

While the court find the accused guilty of the offense in a less degree than charged, yet as it appears from evidence introduced by the accused, late in the course of his trial, that he had been pardoned by the order of the Secretary of War, (which fact did not appear in his plea, the court awards no punishment to the accused.

Case 19. Private James Hosborough, Co. "D," 10th Battalion Virginia Heavy Artillery.

CHARGE—Desertion.

FINDING.

The court confirmed the plea of the accused, (general pardon by the Secretary of War), and determined to arrest proceedings without awarding judgment.

Case 20. Private N. M. Emory, Co. "E," 10th Battalion Virginia Heavy Artillery.

CHARGE—Desertion.

FINDING.

Of the specification,	Guilty of as much as implies absence without leave.
Of charge,	Not guilty of desertion, but guilty of absence without leave.

SENTENCE.

To six months' hard labor, and six months' forfeiture of pay.

Case 21. Private E. T. Williams, Co. "E," 10th Battalion Virginia Heavy Artillery.

CHARGE—Desertion.

FINDING.

Of specification, Guilty of as much as implies absence without leave.

Of charge, Not guilty of desertion, but guilty of absence without leave.

SENTENCE.

To six months' hard labor, and six months' forfeiture of pay.

Case 22. Private John Shehen, Co. "L," 46th Regt. Va. Vols.

CHARGE—Desertion.

FINDING.

Of specification, Guilty of as much as implies absence without leave.

Of charge, Not guilty of desertion, but guilty of absence without leave.

SENTENCE.

To three months' hard labor, and three months' forfeiture of pay.

Case 23. Private Robert Hight, Co. "D," 18th Battalion Virginia Heavy Artillery.

CHARGE—Desertion.

FINDING.

Of the specification, Guilty.

Of the charge, Not guilty of desertion, but guilty of absence without leave.

SENTENCE.

To six months' hard labor, and six months' forfeiture of pay.

Case 24. Private George Steele, Co. "L," 59th Regt. Va. Vols.,

CHARGE—Desertion.

FINDING.

Of the specification, Guilty.

Of the charge, Guilty.

SENTENCE.

To the forfeiture of pay proper during the war, fifty lashes laid on the bare back at a time and place specified by the commanding General; and six months' hard labor with ball and chain.

Case 25. Private T. N. Johnson, Co. "D," 20th Battalion Virginia Heavy Artillery.

CHARGE—Desertion.

FINDING.

Of the specification, Guilty of as much as implies absence without leave.

Of the charge, Not guilty of desertion, but guilty of absence without leave.

To six months' hard labor, and six months' forfeiture of pay.

Case 26. Private Richard Williams, Co. "D," 18th Battalion, Virginia Heavy Artillery.

CHARGE—Sleeping on post.

FINDING AND SENTENCE.

The court confirm the plea of guilty, and sentence the accused to six months' hard labor, and six months' forfeiture of pay.

Case 27. Private H. J. Townsend, Co. "E," 10th Battalion Virginia Heavy Artillery.

CHARGE 1st.—Absence without leave.

CHARGE 2d.—Desertion.

FINDING.

The court confirm the plea of guilty to the 1st charge and specification of first charge, and find as follows:

Of specification of 2d charge,	Guilty.
Of 2d charge,	Guilty.

SENTENCE.

The accused to forfeiture of pay proper during the war, twenty-five lashes laid on the bare back, at a time and place specified by the commanding general, and six months' hard labor with ball and chain.

Case 28. Private John McIntyre, Co. "E," 19th Battalion Virginia Heavy Artillery.

CHARGE.—Desertion.

FINDING.

Of the specification, Guilty of so much as implies absence without leave.

Of the charge, Not guilty of desertion, but guilty of absence without leave.

SENTENCE.

To forfeiture of one month's pay, and to one month of hard labor. The court is thus lenient in sentencing the accused, as he has been in confinement with ball and chain for a period of about three weeks, as developed in the evidence.

Case 29. Private C. H. Palmer, Co. "C," 19th Battalion Virginia Heavy Artillery.

CHARGE.—Conduct prejudicial to good order and military discipline.

FINDING.

Of specification 1st,	Guilty.
Of specification 2d,	Guilty.
Of the charge,	Guilty.

SENTENCE.

To forfeiture of pay for twelve months, to close confinement for twenty-eight days, in two periods of fourteen days each, with an interval of fourteen days, and to five months' hard labor.

Case 30. Private John F. Roberts, Co. "C," 19th Battalion Virginia Heavy Artillery.

CHARGE.—Conduct prejudicial to good order and military discipline.

FINDING.

Of the specification,	Not Guilty.
Of the charge,	Not Guilty.
And the court do therefore acquit the accused.	

Case 31. Private John F. Roberts, Co. "C," 19th Batt. Va. Heavy Artillery.

CHARGE—Violation of the 38th Article of War.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

To forfeiture of one half his weekly pay for six weeks, and to one month of hard labor.

Case 32. Private P. M. McLaughlin, 10th Louisiana regiment.

CHARGE—Desertion.

FINDING.

Of the specification,
Of the charge, Not guilty of desertion, but guilty of absence without leave.

Guilty.

SENTENCE.

To three months' hard labor, and three months' forfeiture of pay.

Case 33. Private Dan Kennedy, Co. "C," 10th Batt. Va. Heavy Artillery.

CHARGE 1st—Desertion.

CHARGE 2nd—Conduct prejudicial to good order and military discipline.

FINDING.

The court confirm the plea of guilty to the specification of 1st charge, and find as follows :

Of 1st charge,
Of specification of second charge,
Of 2d charge,

Guilty.
Guilty.
Guilty.

SENTENCE.

To be shot to death by musketry, at a time and place to be specified by the commanding general.

Case 34. Capt. T. M. Browne, 2d Florida Regiment.

CHARGE 1st—Conduct unbecoming an officer and gentleman.

CHARGE 2d—Conduct prejudicial to good order and military discipline.

FINDING.

Of the specification, of 1st charge,
Of 1st charge,
Of specification of 2d charge,
Of 2d charge,

Guilty.
Guilty.
Guilty.
Guilty.

SENTENCE.

To be dismissed from the service of the Confederate States.

II. The proceedings and findings in the cases of Captain T. M. Browne, 2d Florida regiment, Lieutenant G. B. Thompson, 1st Texas regiment, privates Isaac Hall, Co. "C," and Stephen B. Thayer, Co. "B," 18th Battalion Virginia Heavy Artillery, George W. Sturgeon, Co. "D" and John F. Roberts, Co. "C," 19th Battalion Virginia Heavy Artillery, J. T. Vaughan, and James Hosborough Co. "D," 10th Battalion Virginia Heavy Artillery, and J. M. Sabalot, Co. "G"

5th Louisiana regiment are approved. The officers will be released from arrest, and the privates released and returned to duty.

The proceedings, finding and sentence in the case of private Willis Brown, Co. "A," 19th Battalion Virginia Heavy Artillery, are disapproved. The evidence though exciting a grave suspicion, does not sustain the charge. The prisoner will be released and returned to duty.

The proceedings, finding and sentence in the case of private Stephen B. Thayer, Co. "B," 18th Battalion Virginia Heavy Artillery, are disapproved; the officer preferring the charges being a member of the court, and sitting on the trial of the case. The prisoner will be released and return to duty.

The proceedings in the case of Lieutenant R. H. Bayliss, "Alexandria Light Artillery," are disapproved; proceedings having been had on the trial, in the absence of the accused, at which he had the right to be present. Lieutenant Bayliss will be released from arrest, and returned to duty.

The proceedings, finding and sentence in the case of private Albert Dreysspring, "Montgomery True Blues," Light Artillery, are disapproved.

The charge of meeting is not sustained by the evidence.

The punishment imposed is for all the offences of which the accused is found guilty. It is impossible to ascertain what portion of punishment is awarded to particular offences; and, however much it is to be regretted that the prisoner should escape punishment for the very serious offences of which he is clearly guilty, he must be released and returned to duty.

The proceedings, finding and sentence in the case of Sergeant Andrew H. Thompson, Co. "C," 18th Battalion Virginia Heavy Artillery, are approved. The sentence will be duly executed.

The offences to which the accused has pleaded guilty, and for which he is thus punished, are venial compared with those committed by the officers in keeping liquor in their tents, in violation of the express orders of the Secretary of War.

It is not an excuse for him that the liquor by which he was intoxicated was given to him by these officers, but their conduct deserves grave censure. Proper discipline, upon which so much depends, can only be preserved by officers setting example as well as seeking to enforce it.

The proceedings, finding and sentence in the case of Captain T. M. Browne, 2d Florida regiment, are approved. Captain T. M. Browne ceases from this day to be an officer in the Provisional Army of the Confederate States.

The proceedings, findings and sentences in the cases of privates Jeremiah Farrisee, Co. "A," N. M. Emory, and E. T. Williams, Co. "E," 10th Battalion Virginia Heavy Artillery, John Lambert, and Samuel Tucker, Co. "B," and T. N. Johnson, Co. "D," 20th Battalion Virginia Heavy Artillery, John Patterson, Co. "B," Robert Hight and Richard Williams, Co. "D," and C. H. Palmer, Co. "C," 18th Battalion Virginia Heavy Artillery, John McIntyre, Co. "E,"

and John F. Roberts, Co. "C," 19th Battalion Virginia Heavy Artillery, John T. Hill, "Montgomery True Blues," Artillery, John Sheehan, Co. "L," 46th regiment Virginia Infantry, and P. M. McLaughlin, 10th Louisiana regiment are approved. The sentences will be duly executed.

The proceedings, finding and sentence in the case of private George Steel, Co. "L," 59th Virginia Infantry, are approved. The sentence will be duly executed. The flogging will be inflicted in the presence of his regiment, at the promulgation of the sentence. The proceedings, finding and sentence in the case of private H. T. Townsend, Co. "E," 10th Battalion Virginia Heavy Artillery, are approved. The sentence will be duly executed. The flogging will be inflicted in the presence of his battalion, at the promulgation of the sentence. The proceedings, finding and sentence in the case of private Dan Kennedy, Co. "C," 10th Battalion Virginia Heavy Artillery, are approved. The sentence will be duly executed at battery No. 2, of the Richmond defences, between the hours of 10 o'clock A. M., and one o'clock P. M., of the 30th day after the receipt of this order, by the commanding officer of his battalion. Colonel T. S. Rhett, commanding Richmond defences, is charged with the execution of this order.

By command of Major General G. W. SMITH.

SAM'L W. MELTON,
Major and A. A. General.

HEADQUARTERS, RICHMOND.

January 20, 1863.

GENERAL ORDERS, }
No. 6.

Further proceedings of the General Court Martial, convened at Richmond, by virtue of General Orders, No. 7, October 11, 1862, from these Headquarters, in continuation of General Orders, No. 5, current series. Were arraigned and tried the following: (The specifications being long and minute are omitted:)

Case 35 Private Thomas P. Jones, Company "C," 18th Battalion Virginia Heavy Artillery.

CHARGE—Desertion.

FINDING.

Of the specification, Guilty.
Of the charge, not guilty of desertion, but guilty of absence without leave.

SENTENCE.

To six months' hard labor, two months of that period with ball and chain, and to forfeiture of six months' pay.

Case 36. Private J. E. Gates, Co. "C," 18th Battalion Va. Heavy Artillery.

CHARGE—Desertion.

FINDING.

Of the specification, Guilty.
Of the charge, not guilty of desertion, but guilty of absence without leave.

SENTENCE.

To six months' hard labor, two months of that period with ball and chain, and to forfeiture of six months' pay.

Case 37. Private George Sargent, Co. "B," 19th Battalion Virginia Heavy Artillery.

CHARGE—Desertion.

FINDING.

Of the specification, Guilty.
Of the charge, Guilty.

SENTENCE.

To four months' hard labor, one month with ball and chain, and to forfeiture of pay for a period of four months, and the court is thus lenient for reasons which will appear to the reviewing authority in the evidence.

Case 38. Private Jesse Edds, Co. "D," 18th Battalion Va. Heavy Artillery.

CHARGE—Desertion.

FINDING.

Of the specification, Guilty.
 Of the charge, Not guilty of desertion, but guilty of absence without leave.

SENTENCE.

To forfeiture of pay for a period of two months.

Case 39. Private C. H. Kent, Company "D," 18th Battalion Va. Heavy Artillery.

CHARGE 1st—Desertion.

CHARGE 2d—Conduct prejudicial to good order and military discipline.

FINDING.

Of specification of 1st charge, Guilty.
 Of 1st charge, not guilty of desertion, but guilty of absence without leave.
 Of specification of 2d charge, Guilty.
 Of 2d charge, Guilty.

SENTENCE.

To forfeiture of pay proper for the war, to six months' hard labor with ball and chain, and to wear a placard with the word "forger," legibly printed thereon, for a period of six months.

Case 40. Private John Wharton, "Caroline Light Artillery."

CHARGE—Desertion.

FINDING.

Of specification, Guilty of as much as implies absence without leave.
 Of charge, Not guilty of desertion, but guilty of absence without leave.

SENTENCE.

To four months' forfeiture of pay, and two months' hard labor with ball and chain.

Case 41. Private Ira D. Seal, "Caroline Artillery."

CHARGE—Desertion.

FINDING.

Of the specification, Guilty.
 Of the charge, Guilty.

SENTENCE.

To forfeiture of pay for twelve months, and to hard labor with ball and chain for a period of six months.

Case 42. Private J. H. Vaiden, Co. "C," 18th Battalion Va. Heavy Artillery.

CHARGE—Absence without leave.

FINDING.

Of the specification, Guilty.
 Of the charge, Guilty.

SENTENCE.

To forfeiture of pay for a period of six months, and to hard labor with ball and chain for the period of three months.

Case 43. Private J. W. Mitchell, Co. "C," 18th Batt. Va. Heavy Artillery.

CHARGE—Absence without leave.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

To forfeiture of pay for the period of six months, and to hard labor with ball and chain for a period of three months.

Case 44. Private Wm. Sheffield, Co. "E," 18th Battalion Virginia Heavy Artillery.

CHARGE—Absence without leave.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

To forfeiture of pay for six months, and to hard labor with ball and chain for three months.

Case 45. Private E. A. Scribner Co. "C," 18th Battalion Virginia Heavy Artillery.

CHARGE—Desertion.

FINDING.

Of the specification,
Of the charge, Not guilty of desertion, but guilty of absence without leave.

Guilty.

SENTENCE.

To forfeiture of pay for six months, and to hard labor with ball and chain for three months.

Case 46. Private Edward McCullooh, Company "C," 18th Battalion Virginia Heavy Artillery.

CHARGE—Desertion.

FINDING.

Of the specification,
Of the charge, Not guilty of desertion, but guilty of absence without leave.

Guilty.

SENTENCE.

To forfeiture of pay for six months, and to hard labor with ball and chain for three months.

Case 47. Private William sorrell, "Caroline Artillery."

CHARGE—Desertion.

FINDING.

Of the specification,—Guilty of so much as implies absence without leave.
Of the charge,—Not guilty of desertion, but guilty of absence without leave.

SENTENCE.

To forfeiture of pay for four months, and to hard labor with ball and chain for the same period.

Case 48. Private A. B. Wharton, "Caroline Artillery."

CHARGE—Desertion.

FINDING.

Of the specification,—Guilty, except all that comes after the words, "he also expressed," &c.

Of charge,

Guilty.

SENTENCE.

To forfeiture of pay for twelve months; to hard labor with ball and chain for six months; and after the last, to confinement for twenty-eight days on bread and water, in periods of fourteen days, with an interval of fourteen days.

Case 49. Lieut. W. H. Kemper, "Alexandria Light Battery."

CHARGE 1st. Absence without leave.

CHARGE 2d—Conduct prejudicial to good order and military discipline.

FINDING.

Of specification of 1st charge,	Not guilty.
Of 1st charge,	Not guilty.
Of specification of 2d charge,	Not guilty.
Of 2d charge,	Not guilty.

And the accused was therefore acquitted.

Case 50. Private C. H. Albright, "Montgomery True Blues."

CHARGE—Desertion.

FINDING.

Of the specification,—	Guilty, with the exception of the clause commencing with the words, "who apprehended him," &c.
Of the charge,	Guilty.

SENTENCE.

To be branded with the letter "D," on the hip, to have his head shaved, to be drummed out of the service to the tune of rogues' march; to receive ten licks with a paddle, at a time and place to be specified by the commanding general, and to forfeit all pay and allowances that may be due him by the Confederate Government.

II. The proceedings, finding, and sentence in the case of Lieut. W. H. Kemper, "Alexandria Light Artillery," are approved. Lieut. Kemper will be released from arrest and return to duty.

The proceedings, finding, and sentence in the case of Private C. H. Albright, "Montgomery True Blues, are approved. The sentence will be duly executed in the presence of his company, at the promulgation of this order.

The proceedings, findings and sentences in the cases of privates Thomas P. Jones, J. E. Gates, J. H. Vaiden, J. W. Mitchell, Wm. Sheffield, E. A. Scribner and Edward McCulloch, Co. "C," Jesse Edds and C. H. Kent, Co. "D," 18th Battalion Virginia Heavy Artillery; George Sergeant, Co. "B," 19th Battalion Virginia Heavy Artillery; John Wharton, Ira D. Seal, Wm. Sorrel and A. B. Wharton, "Caroline Light Artillery," are approved. The sentences will be duly executed.

By command of Major General G. W. SMITH,

SAMUEL W. MELTON,

Major and Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF HENRICO,
Richmond, Va., January 20, 1863.

GENERAL ORDERS, }
No. 1. }

I. At a General Court Martial, convened in this city, pursuant to paragraph II, General Orders, No. 35, Headquarters Department of Henrico, November 6th, 1862, were arraigned and tried:

* * * * *
Case 74. First Lieutenant Charles Hunt, of Captain Dabney's Company Heavy Artillery.

CHARGE—Disposition of intoxicating drink.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

The said Lieutenant Charles Hunt to be suspended from rank, pay and emoluments for the space of two months; and the court do confiscate the liquor seized.

Case 75. William H. Travers, a citizen.

CHARGE—Selling intoxicating drink.

To which charge the accused pleaded

Guilty.

SENTENCE

The court having confirmed the accused's plea of guilty, do sentence him to pay a fine of one hundred dollars, and to be imprisoned until said fine be paid; and the court do confiscate the liquor seized.

Case 76. Charles Rouselot, a citizen.

CHARGE—Selling intoxicating drink.

To which charge the accused pleaded

Guilty.

SENTENCE.

The court having confirmed the accused's plea of guilty, do sentence the said Charles Rouselot to pay a fine of one hundred dollars, and to be imprisoned until said fine be paid; and the court do confiscate the liquor seized.

Case 77. William Ready, a citizen.

CHARGE—Disposition of intoxicating drink.

FINDING.

Of the specification,
Of the charge,

Not guilty.
Not guilty.

And the court do therefore acquit the accused.

Case 78. Richard Morien, a citizen.

CHARGE—Disposition of intoxicating drink.

FINDING.

Of the specification, Not Guilty.
 Of the charge, Not Guilty.
 And the court do therefore acquit the accused.

Case 79. John T. West, a citizen.

CHARGE—Selling intoxicating drink.

To which charge the accused pleaded Guilty.

SENTENCE.

The court having confirmed the accused's plea of guilty, do sentence him to pay a fine of two hundred dollars, and to be imprisoned until said fine be paid; and the court do confiscate the liquor seized.

Case 80. Private Henry S. Jones, Whittington's Artillery.

CHARGE—Desertion.

FINDING.

Of the specification, Guilty.
 Of the charge, Guilty.

SENTENCE.

The said private Henry S. Jones to receive twenty-five lashes upon his bare back, at Camp Lee; to wear at said camp a barrel jacket, with the word "deserter" written thereon, two hours each day for one month, and to forfeit his pay for one month.

Case 81. James Kelley, a citizen:

CHARGE—Selling intoxicating drink.

FINDING.

Of the specification, Guilty.
 Of the charge, Guilty.

SENTENCE.

The said James Kelley to pay a fine of ten dollars, and to be imprisoned until said fine be paid.

Case. 82. Francis Myring, a citizen:

CHARGE—Selling intoxicating drink.

FINDING.

On the 1st specification of charge, Guilty.
 On the 2d specification of charge, Guilty.
 On the charge, Guilty.

SENTENCE.

The said Francis Myring to pay a fine of fifty dollars, and to be imprisoned until said fine be paid; and the court do confiscate the liquor seized.

Case 83. Second Lieut. John B. York, Company D, 45th North Carolina Regiment:

CHARGE—Absence without leave.

To which charge the accused pleaded Guilty.

SENTENCE.

The court having confirmed the accused's plea of guilty, do sentence him to be dismissed from the Confederate service.

Case 84. Private M. Hagan, Company II, 9th Georgia Regiment:

CHARGE—Forgery.

FINDING.

On the 1st specification of charge, Guilty.

On the 2d specification of charge, Guilty.
 On the charge, Guilty.

SENTENCE.

The said Private M. Hagan to one month's extra duty; to forfeit one month's pay, and to wear a barrel jacket two hours each day for one month, with the word "fraud" written on the barrel.

Case 85. Mrs. Ellen Hayes, a citizen:

CHARGE—Selling intoxicating drink.

To which the accused pleaded Guilty.

SENTENCE.

The court having confirmed the accused's plea of guilty, do sentence her to pay a fine of ten dollars, and to be imprisoned until said fine be paid; and the court do confiscate the liquor seized.

Case 86. Private Andrew Redden, Company C, 53d North Carolina Regiment:

CHARGE 1st—Desertion.

CHARGE 2d—Leaving post before regularly relieved.

FINDING.

Of the 1st specification of 1st charge, Guilty.

Of the 2d specification of 1st charge, Guilty.

Of the 1st charge, Guilty.

Of the specification of 2d charge, Not guilty,
 but guilty of leaving guard before regularly relieved.

Of the 2d charge, Not guilty,
 but guilty of leaving guard before regularly relieved.

SENTENCE.

The said Private Andrew Redden to receive twenty-five lashes upon his bare back; to be confined at hard labor for six months, and to forfeit his pay for nine months.

Case 87. Private Frederick Keck, Captain John F. Wren's Cavalry Company:

CHARGE—Desertion.

FINDING.

Of the specification, Guilty.

Of the charge, Guilty.

SENTENCE.

The said Private Frederick Keck to one month's extra duty, and one month's forfeiture of pay.

Case 88. T. S. Hayme.

CHARGE—Selling intoxicating drink.

FINDING.

Of the specification, Guilty.

Of the charge, Guilty.

SENTENCE.

And it appearing to the court that the accused was a soldier, they sentenced him to one month's forfeiture of pay; to one month's extra duty, and to two weeks confinement in the guard-house.

Case 89. Private W. J. Walker, President's Guard.

CHARGE—Desertion.

FINDING.

On the specification of charge, not guilty; but guilty of absence without leave.

On the charge, not guilty; but guilty of absence without leave.

SENTENCE.

The said private W. J. Walker to one week's close confinement on bread and water, and to one month's forfeiture of pay.

Case 90. Colin Kitchen, a citizen.

CHARGE—Selling intoxicating drink.

FINDING.

Of the specification,

Guilty.

Of the charge,

Guilty.

SENTENCE.

The said Colin Kitchen to pay a fine of five dollars, and to be imprisoned until said fine be paid.

Case 91. Private Frank Taylor, Co. "E," 40th Va. Cavalry.

CHARGE 1st—Insubordination.

CHARGE 2d—Desertion.

CHARGE 3d—Theft.

FINDING.

Of the specification of first charge,

Guilty.

Of the first charge,

Guilty.

Of the specification of second charge,

Guilty.

Of the specification of third charge, guilty, excepting the word "pistols."

Of the third charge,

Guilty.

SENTENCE.

The said private Frank Taylor to be first branded on the right hip with the letter "D," an inch and a quarter long; then to receive fifty lashes upon his bare back, well laid on, and to be confined at hard labor for twelve months, wearing a ball and chain; and to forfeit all pay and allowances that are now due or which may become due to him during the said twelve months.

Case 92. Sergeant William Prosser, captain Reed's company President's Guard.

CHARGE—Violation of 99th article of war, C. S., and conduct to the prejudice of good order and military discipline.

FINDING.

Of the specification,

Guilty.

Of the charge,

Guilty.

SENTENCE.

The said sergeant William Prosser to be confined one month to the limits of his station, except when on duty.

II. The proceedings, findings and sentences of the court in the foregoing cases are hereby approved, and the sentences will be executed, with the exceptions hereafter named.

III. The proceedings and findings of the court in the cases of William Ready and Richard Morien, are approved, and they are hereby discharged.

IV. The proceedings, findings and sentences of the court, in the case of Lieutenant John B. York, are hereby approved; but taking into consideration the good character of the accused, the mitigating circumstances of the case, and the recommendation of the court, the sentence is remitted, and Lieutenant York will report for duty to his commanding officer.

* * * * *

By order of Brigadier General JOHN H. WINDER, commanding department.

J. W. PEGRAM,
A. A. General,

HEADQUARTERS DEPT OF HENRICO,
Richmond, Va., January 31, 1863.

EXTRACT.

GENERAL ORDERS, }
No. 3. }

I. At a General Court Martial convened in the city of Richmond pursuant to paragraph II, General Orders, No. 35, "Headquarters Department of Henrico, November 6th, 1862," were arraigned and tried.

Case 94. Private Charles A. Johnson, Goochland Light Artillery.
CHARGE—Desertion.

FINDING.	
Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

The said Private Charles A. Johnson to be confined one month, wearing a barrel jacket, with the word "deserter" written thereon, two hours each day for the said month, and to forfeit all pay from the time of his desertion, until the first of February, eighteen hundred and sixty-three.

The court is thus lenient in its sentence in consequence of the ill-health of the accused.

Case 95. Sergeant T. W. Saunders, Co. "K," 1st Regiment Louisiana Volunteers.

CHARGE—Desertion.

FINDING.	
Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

The said Sergeant J. W. Saunders to be remanded to his regiment, and reduced to the ranks, to wear a barrel jacket with the word "deserter" written thereon, two hours each day for two months, to perform one months' extra duty, and to forfeit three months' pay.

Case 96. James H. Baily, Co. "D," 46th Virginia Regiment.

CHARGE—Desertion.

FINDING.	
Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

The said James H. Baily to be remanded to his regiment, and there

receive fifteen lashes upon his bare back, to perform extra duty for one month, and to forfeit three months' pay.

Case 97. Private B. F. Shifflett, Co. "D," 46th Virginia Regiment.

CHARGE—Desertion.

Of the specification,
Of the charge,

FINDING.

Guilty.
Guilty.

SENTENCE.

The said Private B. F. Shifflett to be remanded to his regiment, and there receive fifteen lashes upon his bare back, to perform extra duty for one month, and to forfeit three months' pay.

Case 98. Private W. W. Wolf, Co. "K," 48th N. C. Regiment.

CHARGE—Desertion.

Of the specification,
Of the charge,

FINDING.

Guilty.
Guilty.

SENTENCE.

The said Private W. W. Wolf to be remanded to his regiment, and there receive twenty-five lashes upon his bare back, to perform one months' extra duty, and to forfeit one months' pay.

Case 99. Private Thomas Givens, Co. "F," 48th North Carolina Regiment.

CHARGE—Desertion.

Of the specification,
Of the charge,

FINDING.

Guilty.
Guilty.

SENTENCE.

The said Private Thomas Givens to be remanded to his regiment, and there receive twenty-five lashes upon his bare back, to perform one months' extra duty, and to forfeit one months' pay.

Case 100. Private Benjamin Brogees, Co. "L," 10th Virginia Regiment.

CHARGE—Desertion.

Of the specification,
Of the charge,

FINDING.

Guilty.
Guilty.

SENTENCE.

The said Private Benjamin Brogees, to be remanded to his regiment, and there receive twenty-five lashes upon his bare back, to perform one months' extra duty, and to forfeit six months' pay.

Case 101. Private John Fletcher, Co. "K," 48th North Carolina Regiment.

CHARGE—Desertion.

Of the specification,
Of the charge,

FINDING.

Guilty.
Guilty.

SENTENCE.

The said private John Fletcher to be remanded to his regiment, and there receive twenty-five lashes upon his bare back, to perform one month's extra duty, and to forfeit one month's pay.

Case 102. Private John James Co. "K," 48th N. C. regiment.

CHARGE—Desertion.

Of the specification
Of the charge,

FINDING.

Guilty.
guilty.

SENTENCE.

The said private John James to be remanded to his regiment, and there receive twenty-five lashes upon his bare back, to perform one month's extra duty, and to forfeit one month's pay.

Case 103. Private N. C. Saunders, Co. "F," 48th N. C. regiment.

CHARGE—Desertion.

Of the specification,
Of the charge,

FINDING.

Guilty.
Guilty.

SENTENCE.

The said private N. C. Saunders to be remanded to his regiment, and there receive twenty-five lashes upon his bare back, to perform one month's extra duty, and to forfeit one month's pay.

Case 104. Private J. T. Hines, Co. "D," 57th Va. regiment.

CHARGE—Desertion.

Of the specification
Of the charge,

FINDING.

Guilty.
Guilty.

SENTENCE.

The said private J. T. Hines to be remanded to his regiment, and there receive twenty-five lashes upon his bare back, to perform one month's extra duty, and to forfeit five months' pay.

Case 105. Private Micheal Kierans, "Letcher Artillery."

CHARGE—Desertion.

Of the specification,
Of the charge,

FINDING.

Guilty.
Guilty.

SENTENCE.

The said private Micheal Kierans to be shot to death by musketry, at such time and place as may be designated by the Commandant of the Department of Henrico, two thirds of the members of the court concurring in said sentence.

Case 106. Private John Payne, Co. "K," 48th N. C. regiment.

CHARGE—Desertion.

Of the specification,
Of the charge,

FINDING.

Guilty.
Guilty.

SENTENCE.

The said private John Payne to be remanded to his regiment, and there receive twenty-five lashes upon his bare back, to perform one month's extra duty, and to forfeit one month's pay.

Case 107. Private William Ringold, Co. "E," 14th La. regiment.

CHARGE—Desertion.

Of the specification,
Of the charge,

FINDING.

Not Guilty.
Not Guilty.

And the court do therefore acquit the accused.

Case 108. Private Mathew Maloney, Co. "C," 10th La. regiment.

CHARGE—Assault and robbery.

FINDING.

Of the specification,	Not Guilty.
Of the charge,	Not Guilty.

And the court do therefore acquit the accused.

Case 109. Private William Green, "President's Guard," Captain Reed's Company.

CHARGE—Desertion.

FINDING.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

The said private William Green to be closely confined, and to be fed on bread and water for the space of one week, to wear a barrel jacket with the word "Deserter" written thereon two hours each day for the space of one month, and to perform extra duty for the space of one month, and to forfeit his pay for the space of two months.

The court desire it to be understood that the leniency of the foregoing sentence is solely on account of the youthfulness of the accused.

Case 110. Corporal Thomas Williams, Co. "C," 1st La. Regiment.

CHARGE—Desertion.

FINDING.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

The said Corporal Thomas Williams to receive fifty lashes, and that he do wear a barrel jacket, with the word "deserter" printed thereon, two hours each day for the space of two months, and that he do forfeit his pay for the space of three months.

Case 111. Private William Allen, Captain Reed's Company, "President's Guard."

CHARGE—Desertion.

FINDING.

Of the specification,	Guilty.
Of the charge,	Guilty.

SENTENCE.

The said William Allen to receive two dozen spanks with a paddle on his bare skin, and to be confined and fed on bread and water for the space of one week.

Case 112. William Murray, Alabama Conscript.

CHARGE—Theft.

FINDING.

Of the specification,	Guilty.
Of the charge,	Not guilty.

But the court do find the said Private William Murray guilty of conduct to the prejudice of good order and military discipline.

SENTENCE.

The said William J. Murray to perform extra duty for the space of

one week, he having been confined in Castle Thunder since the 30th day of November, 1862.

Case 113. Private C. W. Tankersley, "Crenshaw Battery."

CHARGE—Desertion.

Of the specification,
Of the charge,

FINDING.

Guilty.
Guilty.

SENTENCE.

The said Private C. W. Tankersley to wear a placard with the word "deserter" written thereon, seated on one of the guns of his battery, two hours each day, for the space of two months, and to perform extra duty for the space of six months, and to forfeit his pay from the time of his desertion until the 1st day of June, 1863.

* * * * *

Case 117. Private James Broderick, "Letcher Artillery."

CHARGE—Desertion.

Of the specification,
Of the charge,

FINDING.

Guilty.
Guilty.

SENTENCE.

The said Private James Broderick to be shot to death by musketry at such time and place as may be designated by the Commandant of the Department of Henrico, two-thirds of the members of the court concurring in said sentence.

Case 118. Private Thomas Bailey, Co. "D," 9th Va. Regiment.

CHARGE—Desertion.

Of the specification,
Of the charge,

FINDING.

Guilty.
Guilty.

SENTENCE.

The said Private Thomas Bailey to be remanded to his Regiment, and there wear a barrel jacket with the word "deserter" written thereon two hours each day for one month, to perform one month's extra duty, and to forfeit one month's pay.

Case 119. Private John Cox, Co. "B," 9th Va. Regiment.

CHARGE—Desertion.

Of the specification,
Of the charge,

FINDING.

Guilty.
Guilty.

SENTENCE.

The said Private John Cox to be remanded to his Regiment, and there wear a barrel jacket with the word "deserter" written thereon two hours each day for one month, to perform one month's extra duty, and to forfeit one month's pay.

Case 120. L. Roesch, Capt. Eskleman's Company, "Washington Artillery."

CHARGE—Desertion.

Of the specification,
Of the charge,

FINDING.

Guilty.
Guilty.

SENTENCE.

The said L. Roesch to be remanded to his Company, and there receive fifty lashes upon his bare back, and to forfeit nine month's pay.

Case 121. Private J. R. Leflew, Co. "F," 59th Va. Regiment.

CHARGE—Desertion.

FINDING

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

The said private J. R. Leflew to be remanded to his regiment and there wear a barrel jacket with the word "Deserter" written thereon, two hours each day for one month; to be confined two weeks on bread and water; to perform two months' extra duty, and to forfeit two months' pay.

Case 122. Private James Vick, Co. "F," 9th Va. Regiment.

CHARGE—Desertion.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

The said private James Vick to be remanded to his regiment and there wear a barrel jacket with the word "Deserter" written thereon two hours' each day, for one month; to be confined two weeks' on bread and water; to perform two months' extra duty, and to forfeit two months' pay.

Case 123. Patrick Riley, "Whittington's Artillery."

CHARGE—Desertion.

FINDING.

Of the specification, not guilty; but guilty of absence without leave.

Of the charge, not guilty; but guilty of absence without leave.

SENTENCE.

The said Private Patrick Riley is to be confined on bread and water for two weeks; to perform one month's extra duty, and to forfeit one month's pay.

Case 124. Private George Bland, Co. "D," 9th Va. Regiment.

CHARGE—Desertion.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

The said Private George Bland to be remanded to his regiment, and there to wear a barrel jacket with the word "Deserter" written thereon, two hours' each day for one month; to perform one month's extra duty, and to forfeit one month's pay.

Case 125. Private Joseph O'Donohue "Letcher Artillery."

CHARGE—Desertion.

FINDING.

Of the specification,
Of the charge,

Guilty.
Guilty.

SENTENCE.

The said Private Joseph O'Donohue to be remanded to his company and there receive twenty-five lashes upon his back ; to perform one month's extra duty, and to forfeit six months' pay.

II. The proceedings, findings and sentences of the court in the foregoing cases are approved, and the sentences will be executed.

III. The proceedings and findings of the court in the cases of Privates William Ringold, Co. "E," 14th Louisiana Regiment, and Matthew Maloney, Co. "C," 10th Louisiana Regiment, are approved, and they will be returned to duty.

IV. The sentences of the court in the cases of Privates Michael Kierans and James Broderick, "Letcher Artillery," will be executed at Camp Lee, on Friday, February 6th, 1863, between the hours of 8 A. M., and 3 P. M., under the direction of the Provost Marshal.

* * * * *

By order of Brig. Gen. JOHN H. WINDER, commanding Department.

J. W. PEGRAM,
Assistant Adjutant General.







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